

# Service Area Plan

## *Department Of Conservation And Recreation*

### *Statewide Agricultural and Urban Nonpoint Source Water Quality Improvements (50301)*

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## **Service Area Background Information**

### **Service Area Description**

To improve the quality of Virginia's surface and groundwaters, including the Chesapeake Bay, by reducing nonpoint source pollution from agricultural, urban, and other land uses using voluntary and regulatory based measures, innovative reduction programs, constituent outreach and education, and sound land use management.

### **Service Area Alignment to Mission**

Supports the agency mission by conserving, protecting, and enhancing water quality, and promoting stewardship of the natural resources.

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#### Service Area Statutory Authority

- The overarching authority may be found in Section 1 of Article XI of the Virginia Constitution that reads: "To the end that the people have clean air, pure water, and the use and enjoyment for recreation of adequate public lands, waters, and other natural resources, it shall be the policy of the Commonwealth to conserve, develop, and utilize its natural resources, its public lands, and its historical sites and buildings. Further, it shall be the Commonwealth's policy to protect its atmosphere, lands, and waters from pollution, impairment, or destruction, for the benefit, enjoyment, and general welfare of the people of the Commonwealth."
- The Department is charged with the responsibility for the Commonwealth's nonpoint source pollution management program including administration of certain state and federal laws including §319 of the federal Clean Water Act (33 USC §1251 et seq.) and §6217 of the federal Coastal Zone Management Act (16 USC §1451 et seq.). The department is also responsible for operation of a voluntary nutrient management training and certification program and for the promulgation of program regulations, including the criteria for the development of nutrient management plans for various agricultural and urban agronomic practices. The Department is required to develop written procedures for the development, submission, and the implementation of a nutrient management plan or planning standards and specifications that shall be provided to all state agencies, state colleges and universities, and other state governmental entities that own land upon which nutrients are applied. The Department is also authorized to provide technical assistance and training for state entities on the development and implementation of a nutrient management plan and to conduct periodic reviews. The department is authorized to recognize farms that utilize practices designed to protect water quality and soil resources by administering the Clean Water Farm Award Program. Code of Virginia, Title 10.1, Chapter 1, Article 1.
- The department administers education and training certification programs related to the state's erosion and sediment control program. The department approves conservation plans and specifications for all state agencies' projects involving land-disturbing activities. Code of Virginia, Title 10.1, Chapter 5, Article 4.
- The department shall assist the Board of Health in the adoption of regulations related to the land application of sewage sludge. The regulations shall include the requirements for site-specific nutrient management plans, developed by persons certified in accordance with the department, prior to land application for all sites where sewage sludge is land applied. The department must approve certain nutrient management plans prior to permit issuance. Code of Virginia, Title 32.1, Chapter 6, Article 1.
- The department is responsible for approving the nutrient management plans for confined animal feeding operations and with the Department of Environmental Quality may include in the confined animal feeding permit or nutrient management plan more frequent or additional monitoring of waste, soils or ground water as required to protect state waters. The department, in consultation with the Department of Environmental Quality and the Virginia Cooperative Extension Service, is required to develop or approve a training program for persons operating confined animal feeding operations covered by the General Permit. Additionally, by December 31, 2005, the Department of Conservation and Recreation, in consultation with the Department of Environmental Quality, shall complete an examination of current developments in scientific research and technology that shall include a review of land application of poultry waste, soil nutrient retention capacity, and water quality degradation and adopt and implement regulatory or other changes, if any, to its nutrient management plan program that it concludes are appropriate as a result of this examination. Upon the effective date of the Department of Conservation and Recreation's revised regulatory criteria and standards governing phosphorous application rates, or on October 31, 2005, whichever is later, phosphorous application rates for all nutrient management plans developed pursuant to this section shall conform solely to such regulatory criteria and standards adopted by the Department of Conservation and Recreation to protect water quality or to reduce soil concentrations of phosphorous or phosphorous loadings. The application of poultry waste shall be managed to minimize runoff and leaching and reduce adverse water quality impacts

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from phosphorous. Code of Virginia, Title 62.1, Chapter 3.1, Article 3.

- The Secretary of Natural Resources shall develop a plan for the cleanup of the Chesapeake Bay and Virginia's waters designated as impaired by the U.S. Environmental Protection Agency. The plan shall be revised and amended as needed to reflect changes in strategies, timetables, and milestones. Upon the request of the Secretary of Natural Resources, state agencies shall participate in the development of the plan. Code of Virginia, Title 62.1, Chapter 3.7.

- DCR's Virginia Soil and Water Conservation Board is authorized to promulgate regulations for the effective control of soil erosion, sediment deposition and nonagricultural runoff which must be met in local soil erosion and sediment control programs to prevent the unreasonable degradation of properties, stream channels, waters and other natural resources. The board approves programs adopted by the Soil and Water Conservation Districts or by local governing bodies; adopts programs for localities failing to submit proposals; determines appeals from districts' decisions respecting proposed land-disturbing activities; and approves such activities with respect to lands under jurisdiction of more than one local control program. The board is instructed to periodically conduct comprehensive reviews of local erosion and sediment control programs to ensure that they meet minimum standards of effectiveness in controlling soil erosion, sediment deposition, and nonagricultural runoff. The board is required to issue certificates of competence concerning the content, application and intent of specified subject areas of the Erosion and Sediment Control Law and accompanying regulations to personnel of local governments and to responsible land disturbers who have completed training courses or in other ways demonstrated adequate knowledge of such laws and regulations. To address water quality violations, the board may issue stop work orders according to the process outlined in the article. The Board may also issue a special order, after conducting a formal hearing pursuant to the Administrative Process Act, to a locality that has not taken action to correct the manner in which it is administering its erosion and sediment control program. Those localities which have not initiated or implemented an approved corrective action agreement are subject to a civil penalty not to exceed \$5,000 per day with the maximum amount not to exceed \$20,000 per violation. Additionally, each locality is required to report to the Department, in a method and on a time schedule established by the Department, a listing of each land-disturbing activity in the locality for which an Erosion and Sediment Control plan has been approved. Any person engaging in the creation and operation of wetland mitigation banks in multiple jurisdictions, which have been approved and are operated in accordance with applicable federal and state guidance, laws, or regulations for the establishment, use, and operation of mitigation banks, pursuant to a permit issued by the Department of Environmental Quality, the Marine Resources Commission, or the U.S. Army Corps of Engineers, may, at the option of that person, file general erosion and sediment control specifications for wetland mitigation banks annually with the Board for review and approval consistent with guidelines established by the Board. Code of Virginia, Title 10.1, Chapter 5, Article 4.

- Pursuant to the Virginia Stormwater Management Act, and based on the U.S. Environmental Protection Agency's authorization for delegation of program authority to the Virginia Soil and Water Conservation Board, effective January 29, 2005, the department may carryout those powers and duties delegated to it by the Virginia Soil and Water Conservation Board except the adoption and promulgation of regulations. The Department of Conservation and Recreation and the Virginia Soil and Water Conservation Board shall administer the issuance of national pollutant discharge elimination system permits for the control of stormwater discharges from MS4 and construction activities from the U.S. Environmental Protection Agency under the federal Clean Water Act. Powers further delegated to the department from the board may include the authority to issue, deny, revoke, terminate, amend and enforce stormwater permits for the control of stormwater discharges from Municipal Separate Storm Sewer Systems and land disturbing activities; approve and periodically review local stormwater management programs and management programs developed in conjunction with a municipal separate storm sewer permit; enforce the provisions of the Act; and otherwise act to ensure the general health, safety and welfare of the citizens of the Commonwealth as well as protect the

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quality and quantity of state waters from the potential harm of unmanaged stormwater. The department shall provide an annual schedule by which localities can submit applications for delegation. In the absence of the delegation of a stormwater management program to a locality, the department will administer the responsibilities of the Act within the given jurisdiction. The department shall develop a model ordinance for establishing a local stormwater management program consistent with the Act. For state agency projects, the department shall perform random site inspections to assure compliance with the Act, the Erosion and Sediment Control Law, and regulations promulgated thereunder. The department shall have thirty days in which to comment on another state agency's stormwater management plans. Code of Virginia, Title 10.1, Chapter 6, Article 1.1.

- DCR's Virginia Soil and Water Conservation Board is authorized to permit, regulate, and control stormwater runoff in the Commonwealth. In accordance with the Virginia Stormwater Management Act, the board may issue, deny, revoke, terminate, amend and enforce stormwater permits for the control of stormwater discharges from Municipal Separate Storm Sewer Systems and land disturbing activities; adopt regulations; approve and periodically review local stormwater management programs and management programs developed in conjunction with a municipal separate storm sewer permit; enforce the provisions of the Act; and otherwise act to ensure the general health, safety and welfare of the citizens of the Commonwealth as well as protect the quality and quantity of state waters from the potential harm of unmanaged stormwater. The board may also delegate to the department or to an approved locality any of the powers and duties vested in it by the Act except the adoption and promulgation of regulations. Delegation shall not remove from the board authority to enforce the provisions of this article. Code of Virginia, Title 10.1, Chapter 6, Article 1.1.

- The Board of Conservation and Recreation is authorized to allocate grants of state funds to local governments for conserving, protecting, improving, maintaining, and developing public beaches on tidal shorelines and to oversee local implementation of approved projects. The board may establish guidelines governing the application procedures, allocations or implementation standards in accordance with the criteria set forth in the Public Beach Conservation and Development Act. The director provides department staff necessary for the execution of the functions of the board. The Board shall have the authority to promulgate regulations necessary for the execution of Public Beach Conservation and Development Act. Code of Virginia, Title 10.1, Chapter 7, Article 2.

- The Department, in conjunction with other state agencies, shall evaluate and report on the impacts of nonpoint source pollution on water quality and water quality improvement to the Governor and the General Assembly. The Department in cooperation with localities may develop a cooperative program to address identified nonpoint source pollution impairment or degradation, including excess nutrients. The Department of Conservation and Recreation shall be the lead state agency for determining the appropriateness of any grant related to nonpoint source pollution to be made from the Water Quality Improvement Fund to restore, protect and improve the quality of state waters. The Director shall give priority consideration to the distribution of grants from the Fund for the purposes of implementing tributary strategy plans, with a priority given to agricultural practices. Code of Virginia, Title 10.1, Chapter 21.1

- The Director shall provide assistance to the Foundation for Virginia's Natural Resources in developing grant criteria and in providing advice on grant priorities and other appropriate issues. The Foundation for Virginia's Natural Resources is created primarily to assist in developing and to encouraging the nonregulatory conservation programs within the agencies of the Secretariats of Natural Resources and Agriculture and Forestry; and to foster collaboration and partnerships among businesses, communities, and the Commonwealth's environmental enhancement programs. Code of Virginia, Title 10.1, Chapter 21.2.

- Under the Agricultural Stewardship Act, the Virginia Soil and Water Conservation Board shall review

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appeals by persons aggrieved by decisions of the Commissioner of Agriculture and Consumer Services regarding agricultural water pollution complaints. Code of Virginia, Title 10.1, Chapter 5, Article 3.1.

- VIRGINIA SOIL AND WATER CONSERVATION BOARD (4 VAC 50)

§ 4 VAC 50-10. Regulatory Public Participation Procedures, eff. Dec. 30, 1992; amended July 13, 1994 and Sept. 10, 2003.

§ 4 VAC 50-20. Impounding Structure Regulations, eff. Feb. 1, 1989; amended July 1, 2002.

§ 4 VAC 50-30. Erosion and Sediment Control Regulations, eff. Sept. 13, 1990; amended Mar. 22, 1995.

§ 4 VAC 50-50. Erosion and Sediment Control Certification Regulations, eff. Mar. 22, 1995.

§ 4 VAC 50-60. Virginia Stormwater Management Program (VSMP) Permit Regulations, eff. Jan. 1, 2005 or 30 days after the U.S. Environmental Protection Agency's authorization for delegation of program authority is received, whichever is the latter, see 21:3, p. 317 and [Received approval December 30, 2004] eff. Jan. 29, 2005, 21:10, p. 1231.

- DEPARTMENT OF CONSERVATION AND RECREATION (4 VAC 5)

§ 4 VAC 5-10. Regulatory Public Participation Procedures, eff. Dec. 30, 1992; amended June 29, 1994 and Sept. 10, 2003.

§ 4 VAC 5-15. Nutrient Management Training and Certification Regulations, eff. Jan 24, 1996; amended January 11, 2006.

#### BOARD ON CONSERVATION AND DEVELOPMENT OF PUBLIC BEACHES (4 VAC 50)

§ 4 VAC 45-10. Regulations Governing Application for and use of Grant Funds to Localities, eff. April 12, 1981; rev. July 21, 1982. [Note: Authority for the promulgation of and amendments to these regulations was transferred to the Board of Conservation and Recreation pursuant to Chapters 79 and 89 of the 2003 Virginia Acts of Assembly. This action also eliminated the Board on Conservation and Development of Public Beaches.]

- Federal Clean Water Act Section 319; Title 33 (Navigation and Navigable Waters); Chapter 26 (Water Pollution Prevention and Control); Subchapter III (Standards and Enforcement); Section 1329 (Nonpoint source management programs) of the United States Code (P.L. 100-4)

#### Service Area Customer Base

Customer(s)	Served	Potential
Agricultural Community	15,000	47,000
Boards and Foundations	5	5
Conservation Organizations and Land Trusts	25	50
Government Agencies (Federal, State, and Local)	450	450
Regulated Community	15,000	46,000
Soil and Water Conservation Districts	47	47
Special Interest Groups	50	100

#### **Anticipated Changes In Service Area Customer Base**

With the consolidation of the Commonwealth's stormwater management programs within DCR and the increasing need to improve the water quality within the Chesapeake Bay and Virginia's rivers and streams, DCR will be increasing its customers through both voluntary and regulatory initiatives.

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#### **Service Area Partners**

Agricultural Community

#### **Service Area Partners**

Boards and Foundations

#### **Service Area Partners**

Chesapeake Bay Program (Includes the U.S. Environmental Protection Agency, Maryland, Pennsylvania, and the District of Columbia)

#### **Service Area Partners**

Contractual Services

#### **Service Area Partners**

Engineers and Consultants

#### **Service Area Partners**

##### **Federal Agencies**

Environmental Protection Agency; National Oceanic and Atmospheric Administration; National Park Service; Natural Resources Conservation Service; Tennessee Valley Authority; U.S. Forest Service; U.S. Army Corps of Engineers; U.S. Department of Defense; U.S. Department of the Interior; U.S. Fish and Wildlife Service; U.S. Geological Survey

#### **Service Area Partners**

Local Governments

#### **Service Area Partners**

Non profits

#### **Service Area Partners**

##### **Other States**

Delaware; Kentucky; New York; North Carolina; Tennessee; West Virginia

#### **Service Area Partners**

Regional Planning District Commissions

#### **Service Area Partners**

Soil and Water Conservation Districts

#### **Service Area Partners**

##### **State Agencies**

Virginia Department of Agriculture and Consumer Services; Virginia Department of General Services; Virginia Department of Mines, Minerals and Energy; Virginia Department of Environmental Quality; Virginia Department of Forestry; Virginia Department of Game and Inland Fisheries; Virginia Department of Health; Virginia Department of Transportation; Virginia Institute of Marine Science; Virginia Marine Resources Commission

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#### **Service Area Products and Services**

- Financial Assistance
- Regulatory Programs - Information
- Technical Assistance
- Public Education
- Public Information
- Permitting, Regulation, and Enforcement
- Training and certification programs
- Property conservation through easement acquisitions

#### **Factors Impacting Service Area Products and Services**

- state funding
- insufficient staffing levels in key program areas
- declining federal grants
- expanding state and/or federal requirements

#### **Anticipated Changes To Service Area Products and Services**

- As DCR refines its voluntary and regulatory programs, products and services may expand in an effort to educate and engage the Department's customers and partners in achieving Virginia's water quality goals.

#### **Service Area Human Resources Summary**

##### **Service Area Human Resources Overview**

##### **Service Area Full-Time Equivalent (FTE) Position Summary**

Effective Date:

Total Authorized Position level .....

Vacant Positions .....

Non-Classified (Filled).....

Full-Time Classified (Filled) .....

Part-Time Classified (Filled) .....

Faculty (Filled) .....

Wage .....

Contract Employees .....

Total Human Resource Level .....

##### **Factors Impacting Service Area Human Resources**

##### **Anticipated Changes in Service Area Human Resources**

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#### Service Area Financial Summary

Included in the \$34 M General Fund Appropriation is \$30.2 M that will be deposited directly into the Water Quality Improvement Fund. These monies are critical to improving the quality of Virginia's waters and the Chesapeake Bay. To achieve our water quality goals the Commonwealth needs to develop a permanent, sufficient, and stable source of funding for nonpoint source water quality improvement programs.

	<u>Fiscal Year 2007</u>		<u>Fiscal Year 2008</u>	
	General Fund	Nongeneral Fund	General Fund	Nongeneral Fund
Base Budget	\$6,841,336	\$10,936,257	\$6,541,336	\$10,536,257
Changes To Base	\$0	\$0	\$0	\$0
SERVICE AREA TOTAL	\$6,841,336	\$10,936,257	\$6,541,336	\$10,536,257



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## Service Area Objectives, Measures, and Strategies

### Objective 50301.01

#### ***Improve and protect water quality, especially in the Chesapeake Bay and the Southern Rivers. (Key)***

Controlling nonpoint source pollution from agricultural and urban sources is critical to improving water quality and removing impaired waters in the Chesapeake Bay and the Southern Rivers. In cooperation with the other Chesapeake Bay states and EPA, Virginia agreed to river basin allocations for Virginia Bay tributaries for nutrients and sediments, which will need to be met to achieve Chesapeake Bay restoration goals. These Tributary Strategies, when fully implemented, will make the reductions needed to remove the Chesapeake Bay and Virginia Bay tributaries from the federal list of impaired waters. Implementation of TMDL plans in the Southern Rivers will address those impairments.

#### **This Objective Supports the Following Agency Goals:**

- Improve the quality of Virginia's waters and the Chesapeake Bay through non-point source pollution reduction programs and sound land use management.

#### **This Objective Has The Following Measure(s):**

- **Measure 50301.01.00**

***We will, in conjunction with private and public partners, prevent nitrogen and phosphorus from entering th***

**Measure Type:** Outcome      **Measure Frequency:** Annually

**Measure Baseline:** 441,000 pounds per year in CY 2001 through 2004 average (nitrogen 350,000 pounds and phosphorus 91,000 pounds).

**Measure Target:** 1,044,000 pounds (nitrogen 734,000 pounds and phosphorus 310,000 pounds).

#### **Measure Source and Calculation:**

Currently DCR tracks and reports implementation of nonpoint source best management practices (BMPs) annually to the Environmental Protection Agency - Chesapeake Bay Program Office (CBPO) which calculates the Watershed Model utilizing the updated list of implemented BMPs. DCR is required to report annual progress to the CBPO by July 15 of each year for the previous calendar year with results available in September or October. This same process is used in Maryland and Pennsylvania. From this data the annual progress toward meeting the reduction target for that year is determined. The baseline was established based on average BMP reductions achieved during the five year period, 2000-2004. The annual target was established based on estimated reductions to be achieved with anticipated levels of state water quality improvement funding. Achieving this target will depend upon several factors including those outside of DCR's control such as variations of weather patterns particularly rainfall amounts and intensity as well as the implementation service delivery systems at local and state levels and the levels of voluntary participation. DCR will continue working with CBPO on the next version of the Watershed Model that will cover the entire state of Virginia to include the southern rivers and Atlantic coastal areas. Once developed, the new version may make it possible to estimate and calculate these performance measures statewide.

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- **Measure 50301.01.01**

*Pounds of nitrogen prevented from entering the Bay and its tributaries annually.*

**Measure Type:** Outcome      **Measure Frequency:** Annually

**Measure Baseline:** 350,000 lbs. (an average of 2000, 2001, 2002, 2003, and 2004)

**Measure Target:** 734,000 lbs

**Measure Source and Calculation:**

Currently DCR tracks and reports implementation of nonpoint source best management practices (BMPs) annually to the Environmental Protection Agency - Chesapeake Bay Program Office (CBPO) which calculates the Watershed Model utilizing the updated list of implemented BMPs. DCR is required to report annual progress to the CBPO by July 15 of each year for the previous calendar year with results available in September or October. This same process is used in Maryland and Pennsylvania. From this data the annual progress toward meeting the reduction target for that year is determined. The baseline was established based on average BMP reductions achieved during the five year period, 2000-2004. The annual target was established based on estimated reductions to be achieved with anticipated levels of state water quality improvement funding. Achieving this target will depend upon several factors including those outside of DCR's control such as variations of weather patterns particularly rainfall amounts and intensity as well as the implementation service delivery systems at local and state levels and the levels of voluntary participation. DCR will continue working with CBPO on the next version of the Watershed Model that will cover the entire state of Virginia to include the southern rivers and Atlantic coastal areas. Once developed, the new version may make it possible to estimate and calculate these performance measures statewide.

- **Measure 50301.01.02**

*Pounds of phosphorus prevented from entering the Bay and its tributaries annually.*

**Measure Type:** Outcome      **Measure Frequency:** Annually

**Measure Baseline:** 91,000 lbs (an average of 2000, 2001, 2002, 2003, and 2004)

**Measure Target:** 310,000 lbs

**Measure Source and Calculation:**

Currently DCR tracks and reports implementation of nonpoint source best management practices (BMPs) annually to the Environmental Protection Agency - Chesapeake Bay Program Office (CBPO) which calculates the Watershed Model utilizing the updated list of implemented BMPs. DCR is required to report annual progress to the CBPO by July 15 of each year for the previous calendar year with results available in September or October. This same process is used in Maryland and Pennsylvania. From this data the annual progress toward meeting the reduction target for that year is determined. The baseline was established based on average BMP reductions achieved during the five year period, 2000-2004. The annual target was established based on estimated reductions to be achieved with anticipated levels of state water quality improvement funding. Achieving this target will depend upon several factors including those outside of DCR's control such as variations of weather patterns particularly rainfall amounts and intensity as well as the implementation service delivery systems at local and state levels and the levels of voluntary participation. DCR will continue working with CBPO on the next version of the Watershed Model that will cover the entire state of Virginia to include the southern rivers and Atlantic coastal areas. Once developed, the new version may make it possible to estimate and calculate these performance measures statewide.

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- **Measure 50301.01.03**

*Tons of sediment prevented from entering the Bay and its tributaries annually.*

**Measure Type:** Outcome

**Measure Frequency:** Annually

**Measure Baseline:** 41,700 tons (an average of 2000, 2001, 2002, 2003, and 2004)

**Measure Target:** 89,000 tons

**Measure Source and Calculation:**

Currently DCR tracks and reports implementation of nonpoint source best management practices (BMPs) annually to the Environmental Protection Agency - Chesapeake Bay Program Office (CBPO) which calculates the Watershed Model utilizing the updated list of implemented BMPs. DCR is required to report annual progress to the CBPO by July 15 of each year for the previous calendar year with results available in September or October. This same process is used in Maryland and Pennsylvania. From this data the annual progress toward meeting the reduction target for that year is determined. The baseline was established based on average BMP reductions achieved during the five year period, 2000-2004. The annual target was established based on estimated reductions to be achieved with anticipated levels of state water quality improvement funding. Achieving this target will depend upon several factors including those outside of DCR's control such as variations of weather patterns particularly rainfall amounts and intensity as well as the implementation service delivery systems at local and state levels and the levels of voluntary participation. DCR will continue working with CBPO on the next version of the Watershed Model that will cover the entire state of Virginia to include the southern rivers and Atlantic coastal areas. Once developed, the new version may make it possible to estimate and calculate these performance measures statewide.

- **Measure 50301.01.04**

*Number of nonpoint source water quality impairments treated to improve impaired waters.*

**Measure Type:** Outcome

**Measure Frequency:** Annually

**Measure Baseline:** 46

**Measure Target:** 67

**Measure Source and Calculation:**

TMDL implementation plans identify specific BMP strategies to correct impairments (e.g. bacteria levels above water quality standards) which are causing waters to be on the impaired waters list. DCR implements these plans using available federal and state funds and tracks the number of plans being implemented, number of impairments being addressed and works with DEQ to determine progress in removing the impairments from the impaired waters list. Progress in this will be dependent upon future funding, staffing and plan development.

**Objective 50301.01 Has the Following Strategies:**

- Work with the Department of Environmental Quality to address the removal of point and nonpoint source impairments to Virginia's waters.
- Develop and fund strategic water quality initiatives and Cooperative Nonpoint Pollution Control Programs with local governments, Soil and Water Conservation Districts, and other partners to address agricultural/urban/suburban Tributary Strategy best management practices.
- Identify and engage federal, state, and local programs that can assist in implementing the Tributary Strategy best management practices.
- Prioritize stream segment areas to begin organized TMDL implementation clean-up activities relating to nonpoint source pollution.

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- Seek additional funding for TMDL implementation from all sources; federal, state and local.
- Develop local support and capacity for carrying out TMDL implementation plan actions.
- Track progress on TMDL implementation plans and the removal of impaired stream segments.

#### **Objective 50301.02**

##### ***Increase participation in and compliance with voluntary and regulatory nonpoint programs.***

Improving water quality demands more consistent application and compliance with the Department's existing regulatory programs aimed at reducing land use impacts on Virginia's streams, rivers, and the Chesapeake Bay. Many of these programs are administered by local governments with program direction, oversight, and assistance provided by the Department. The Department also has several incentive-based programs that offer financial and technical assistance aimed at accomplishing this objective. Despite past success, it is clear that much greater levels of participation in these programs will be necessary in the future. In addition, more focus is needed on promoting cost-effective implementation practices.

##### **This Objective Supports the Following Agency Goals:**

- Improve the quality of Virginia's waters and the Chesapeake Bay through non-point source pollution reduction programs and sound land use management.

##### **This Objective Has The Following Measure(s):**

- **Measure 50301.02.01**

###### ***Number of acres under nutrient management.***

**Measure Type:** Output                      **Measure Frequency:** Annually

**Measure Baseline:** 107,000 acres per year

**Measure Target:** 110,000 acres per year

###### **Measure Source and Calculation:**

DCR maintains a database of plans and planned acreage that is updated annually. The database includes nutrient management plans both mandated by law and voluntarily developed. This measure addresses the total acreage of nutrient management plans developed. A query will be made to determine the acreage covered by nutrient management plans developed each fiscal year. This will include both those plans written by DCR staff and those developed by certified nutrient management planners that are not employed by DCR.

- **Measure 50301.02.02**

###### ***Number of local erosion and sediment control programs reviewed annually deemed fully compliant.***

**Measure Type:** Output                      **Measure Frequency:** Annually

**Measure Baseline:** 17

**Measure Target:** 25

###### **Measure Source and Calculation:**

As of May 2006, 72 of 165 local erosion and sediment control programs have been reviewed. Seventeen of those programs reviewed have been deemed fully compliant with all State requirements. An additional 32 programs are expected to be reviewed in FY07. Based upon past reviews, 8 programs are expected to be initially deemed fully compliant. Compliance requires the locality to receive a score of 70 or better in each of five program categories. Additionally, through addressing corrective action agreement conditions, localities previously reviewed may move from noncompliant or provisionally compliant to fully compliant.

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- **Measure 50301.02.03**

*Number of stormwater permits issued for construction activities annually.*

**Measure Type:** Output

**Measure Frequency:** Annually

**Measure Baseline:** 1,100

**Measure Target:** 2,100

**Measure Source and Calculation:**

DCR maintains a database of all issued general permits and is developing a reporting system with local governments to identify those local land-disturbing activities requiring coverage by the construction permit. Comparison of these two sources will define the percentage of permits issued. Results will compile the number of permits issued annually. Future targets will be based on a combination of state and local government reporting systems that will identify those local land-disturbing activities requiring coverage by the construction permit. Increasing the number of permits will reduce the amount of sediment and nutrients in stormwater runoff entering Virginia's waters from construction sites. Since taking over the program, DCR is working towards doubling the number of permits issued on an annual basis.

**Objective 50301.02 Has the Following Strategies:**

- Develop outreach program, in concert with local Soil and Water Conservation District and the farm community, to target farmers for adoption of Tributary Strategy priority best management practices.
- Develop the "Proposed 5-year Cycle Program Review List" that includes all 165 local erosion control programs being reviewed over a 5-year period.
- Develop the recommendation for the annual local erosion control program review schedule using management criteria (complaints, disturbed acres, programs, size, etc.)
- Develop locality land disturbance reporting system.
- Seek Virginia Soil and Water Conservation Board approval of annual local erosion control program review list by August 1st of each year.
- Evaluate multi-year nutrient management plan contracting program options to increase plan writing and improve on farmer implementation of plans.
- Provide financial incentives to landowners to develop and implement nutrient management plans.
- Provide technical assistance to landowners to develop and implement nutrient management plans.
- Share related county-level tributary strategies targets with local governments and Soil and Water Conservation Districts.
- Develop strategic actions/grants funded by the Water Quality Improvement Fund to support implementation of local tributary stream strategies.
- Target cost-effective agricultural BMPs for state financial support through DCR's Agricultural BMP Cost-Share Program.

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## *Department Of Conservation And Recreation*

### *Dam Inventory, Evaluation and Classification and Flood Plain Management (50314)*

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## **Service Area Background Information**

### **Service Area Description**

Promote the proper design, construction, operation, and maintenance of dams to protect public safety and property and to assist communities in proper management of development in Virginia's floodplains.

### **Service Area Alignment to Mission**

By working with communities and citizens in dam safety and floodplain management programs, we are promoting public safety and enhancing conservation of natural resources.

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### *Dam Inventory, Evaluation and Classification and Flood Plain Management (50314)*

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#### Service Area Statutory Authority

- The department is required to establish guidelines which will meet the minimum requirements of the National Flood Insurance Program under the National Flood Insurance Act of 1968 (42 USC §4001 et seq.). Code of Virginia, Title 10.1, Chapter 6, Article 1.
- The director upon approval from the Virginia Soil and Water Conservation Board, may make grants or loans from the Dam Safety, Flood Prevention and Protection Assistance Fund to local governments for the purpose of providing matching funds for flood prevention or protection. The director, upon approval from the Virginia Soil and Water Conservation Board, may also make grants and loans to local governments owning dams and to make loans to private entities for the design, repair and the safety modifications of dams identified in safety reports and to make grants to localities for the mapping and digitization of dam break inundation zones. Funding to assist localities in the development of these maps, is contingent upon the localities contributing a local match. The highest priority for awarding funds shall be placed on assisting with the mapping of the highest class of dams. The director shall, after consultation with all interested parties, develop a guidance document governing project eligibility and project priority criteria. The Virginia Resources Authority shall administer and manage the Fund, and establish the interest rates and the repayment terms of such loans as provided in this article, in accordance with a memorandum of agreement with the director. During the maintenance, construction, or alteration of any dam or reservoir, the Department shall make periodic inspections for the purpose of securing conformity with the approved plans and specifications. The Department shall require the owner to perform at his expense such work or tests as necessary to obtain information sufficient to enable the Department to determine whether conformity with the approved plans and specifications is being secured. If, after any inspections, investigations, or examinations, or at any time as the work progresses, or at any time prior to issuance of a certificate of approval, it is found by the Director that project modifications or changes are necessary to ensure conformity with the approved plans and specifications, the Director may issue an administrative order to the owner to comply with the plans and specifications. The Director may issue a temporary stop work order on a construction or alteration project if he finds that an owner is constructing or altering a dam without having first obtained the necessary certificate of approval, or if the activities are not in accordance with approved plans and specifications. Code of Virginia, Title 10.1, Chapter 6, Article 1.2.
- The department is responsible for coordinating a comprehensive flood control program for the Commonwealth. Code of Virginia, Title 10.1, Chapter 6, Article 6.
- The board may approve plans for capture and storage of floodwaters by riparian landowners, inspect impoundment structures, and make regulations for proper and safe construction of impoundment structures. The Board shall promulgate regulations to ensure that impounding structures in the Commonwealth are properly and safely constructed, maintained and operated. The Board may delegate to the Director or his designee any of the powers and duties vested in the Board by the Dam Safety Act, except the adoption and promulgation of regulations or the issuance of dam safety certificates. Delegation shall not remove from the Board authority to enforce the provisions of the Dam Safety Act. The Board and its agents and employees are authorized to enter any property at reasonable times and under reasonable circumstances to perform such inspections and tests or to take such other actions it deems necessary to fulfill its responsibilities, including the inspection of dams, provided that the Board or its agents or employees make a reasonable effort to obtain the consent of the owner of the land prior to entry. If entry is denied, the Board or its designated agents or employees are authorized to apply to any magistrate whose territorial jurisdiction encompasses the property to be inspected or entered for a warrant authorizing such investigation, tests or other actions. Such warrant shall issue if the magistrate finds probable cause to believe that there is a dam on such property which is not known to be safe. The Director, upon approval from the Virginia Soil and Water Conservation Board, shall direct the distribution of loans from the Dam Safety, Flood Prevention and Protection Assistance Fund to local governments and private entities and the distribution of grants to local governments. Upon petition for

# Service Area Plan

## Department Of Conservation And Recreation

### Dam Inventory, Evaluation and Classification and Flood Plain Management (50314)

a hearing on a director's administrative order by a dam owner, the Board has the authority to affirm, modify, amend, or cancel the director's administrative orders. The Board may bring suit in the name of the Commonwealth in any court of competent jurisdiction to enjoin the unlawful construction, modification, operation, or maintenance of any dam regulated under the Virginia Dam Safety Act. When setting civil penalty amounts, the Board shall consider (i) the nature, duration, and number of previous instances of failure by the owner to comply with requirements of law relating to dam safety and the requirements of Board regulations and orders; (ii) the efforts of the owner to correct deficiencies or other instances of failure to comply with the requirements of law relating to dam safety and the requirements of Board regulations and orders that are the subject of the proposed penalty; (iii) the cost of carrying out actions required to meet the requirements of law and Board regulations and orders; (iv) the hazard classification of the dam; and (v) other factors deemed appropriate by the Board. The Board is authorized to establish and collect application fees from any dam safety certificate applicant to be deposited into the Dam Safety, Flood Prevention and Protection Assistance Fund for the administration of the dam safety program, administrative review, certifications, and the repair and maintenance of dams. The board is authorized to promulgate regulations for the proper administration of the Soil and Water Conservation District Dam Maintenance, Repair, and Rehabilitation Fund. Code of Virginia, Title 10.1, Chapter 6, Article 2.

- DCR's Virginia Soil and Water Conservation Board is authorized to establish regulations for the proper administration of the Conservation, Small Watersheds Flood Control and Area Development Fund. Code of Virginia, Title 10.1, Chapter 6, Article 4.
- Federal regulations (44 CFR 59-65) apply to the Floodplain Management Program.
- National Flood Insurance Act of 1968; 42 USC §4001 et seq.

#### **Service Area Customer Base**

Customer(s)	Served	Potential
Boards and Foundations	1	1
Government Agencies (Federal, State, and Local)	300	310
Regulated Community	770	1,670
Soil and Water Conservation Districts	47	47
Special Customer Groups	200	500

#### **Anticipated Changes In Service Area Customer Base**

Due to changes in regulatory requirements, hundreds of additional dams are required to meet regulatory standards which is generating an increased demand for the services of dam safety engineers and central office staff.

There are approximately 15 Virginia communities that have been identified as flood-prone, but have not yet joined the National Flood Insurance Program. These communities will be invited to join the program and will be expected to increase demand for the services of the Floodplain Management Program staff.



# Service Area Plan

## Department Of Conservation And Recreation

### Dam Inventory, Evaluation and Classification and Flood Plain Management (50314)

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#### **Service Area Partners**

Boards and Foundations

#### **Service Area Partners**

Contractual Services

#### **Service Area Partners**

Educational Institutions

Virginia Colleges and Universities

#### **Service Area Partners**

Engineers and Consultants

#### **Service Area Partners**

Federal Agencies

U.S. Department of the Interior; Environmental Protection Agency; Federal Emergency Management Authority; Federal Energy Regulatory Commission; U.S. Housing and Urban Development; National Oceanographic and Atmospheric Administration; Natural Resources Conservation Service; Tennessee Valley Authority; U.S. Army Corps of Engineers; U.S. Fish and Wildlife Service; U.S. Forest Service; U.S. Geological Survey

#### **Service Area Partners**

Local Governments

Water and Sewer Authorities; Emergency Managers; Local Planning, Zoning and Building Officials; Parks and Recreation Departments; Engineering and Public Works Officials

#### **Service Area Partners**

Non-profits

#### **Service Area Partners**

Regional Planning District Commissions

#### **Service Area Partners**

Soil and Water Conservation Districts

#### **Service Area Partners**

State Agencies

Virginia Department of Agriculture and Consumer Services; Virginia Department of Corrections; Virginia Department of Historic Resources; Virginia Department of Mines, Minerals and Energy; Virginia Department of Housing and Community Development; State Corporation Commission; Virginia Department of Emergency Management; Virginia Department of Environmental Quality; Virginia Department of Forestry; Virginia Department of Game and Inland Fisheries; Virginia Department of Health; Virginia Department of Transportation; Virginia Institute of Marine Science; Virginia Marine Resources Commission

#### **Service Area Partners**

Vendors

# **Service Area Plan**

## ***Department Of Conservation And Recreation***

### ***Dam Inventory, Evaluation and Classification and Flood Plain Management (50314)***

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#### **Service Area Products and Services**

- Permitting, Regulation, and Enforcement
- Public Safety (dam safety, law enforcement, etc.)
- Mapping funds for Dam Break Inundation Zones and Areas of Special Flood Hazards
- Regulatory Programs - Information
- Technical and Planning Assistance
- Public Education
- Financial Assistance
- Mapping Coordination and Project Management for Special Flood Hazard Areas
- Public Information

#### **Factors Impacting Service Area Products and Services**

- state funding levels
- insufficient staffing levels in key program areas
- declining federal funding levels
- expanding state and/or federal requirements

#### **Anticipated Changes To Service Area Products and Services**

- With the recent expansion of the number of dams regulated by DCR, the Department will need to expand services and products to both educate the public about Dam Safety Act requirements and to properly enforce the law.
- DCR is also considering regulatory amendments that may result in the need for further increasing services.
- Additionally, with the 2005 legislative change to the criteria governing the expenditure of funds from the Flood Prevention and Protection Assistance Fund, DCR needs to develop new grant criteria to allow for grants for dam break inundation zone mapping and to draft a dam break inundation zone model ordinance.
- With FEMA's current focus on modernizing the national inventory of flood hazard studies and mapping, DCR staff will increasingly be involved in mapping updates through 2010.
- Increased weather events create the periodic and unpredictable need for additional services from the floodplain staff.

#### **Service Area Human Resources Summary**

##### **Service Area Human Resources Overview**

# Service Area Plan

## Department Of Conservation And Recreation

### Dam Inventory, Evaluation and Classification and Flood Plain Management (50314)

#### Service Area Full-Time Equivalent (FTE) Position Summary

Effective Date:

Total Authorized Position level .....

Vacant Positions .....

Non-Classified (Filled).....

Full-Time Classified (Filled) .....

Part-Time Classified (Filled) .....

Faculty (Filled) .....

Wage .....

Contract Employees .....

Total Human Resource Level .....

#### Factors Impacting Service Area Human Resources

#### Anticipated Changes in Service Area Human Resources

#### Service Area Financial Summary

Funding for the Dam Safety Program is primarily from Virginia's General Fund.

FEMA provides 100% funding for managing the Map Modernization Program in Virginia through the FEMA MMMS grant.

FEMA provides a portion (approximately 75%) of the funding for assisting localities with compliance and enforcement of Floodplain Management ordinances through the FEMA CAP-SSSE grants.

Department of Homeland Security/ FEMA provides a small annual Administrative Grant to DCR to support the Commonwealth's Dam Safety Program.

The Department has a documented need to add additional staff and operating funds to properly administer the expanded Dam Safety Program. Virginia's engineers are currently responsible for 277 dams each, while staff in 10 East Coast states average 130 dams per employee.

	<u>Fiscal Year 2007</u>		<u>Fiscal Year 2008</u>	
	General Fund	Nongeneral Fund	General Fund	Nongeneral Fund
<b>Base Budget</b>	\$1,031,595	\$290,436	\$1,031,595	\$290,436
<b>Changes To Base</b>	\$0	\$0	\$0	\$0
<b>SERVICE AREA TOTAL</b>	<b>\$1,031,595</b>	<b>\$290,436</b>	<b>\$1,031,595</b>	<b>\$290,436</b>

# Service Area Plan

## Department Of Conservation And Recreation

### *Dam Inventory, Evaluation and Classification and Flood Plain Management (50314)*

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## Service Area Objectives, Measures, and Strategies

### Objective 50314.01

#### ***Reduce potential loss of life and property damage due to severe flooding and dam failures.***

Throughout Virginia, there are thousands of lives, homes, businesses and property placed at risk during floods and dam failures. DCR programs relating to the enforcement of the Virginia Dam Safety Act, the Impounding Structure Regulations, and the State and Federal Floodplain Management requirements seek to reduce such loss.

#### **This Objective Supports the Following Agency Goals:**

- Enhance public safety by administering effective dam safety and flood plain management programs.

#### **This Objective Has The Following Measure(s):**

- **Measure 50314.01.01**

***Percentage of known dams regulated by Virginia with regular operation and maintenance certificates.***

**Measure Type:** Outcome      **Measure Frequency:** Annually

**Measure Baseline:** As of March 2006, 68% of the dams known to require state certification have regular operation and maintenance certificates.

**Measure Target:** 70% of the dams known to require state certification will have regular operation and maintenance certificates by the end of FY07.

#### **Measure Source and Calculation:**

The number of dams that fall under state regulation dramatically increased with the adoption of state legislation effective in 2002. The legislation changed the characteristics of regulated dams to be more in line with federal guidance. DCR's division of Dam Safety and Floodplain Management maintains an inventory of all dams in Virginia and tracks compliance status. In measuring the results, staff will exclude those dams in the inventory that do not require certificates and those that we have insufficient data on to determine the status. Of the remaining dams, staff will calculate the percentage for which a current regular operation and maintenance certificate has been issued by the Virginia Soil and Water Conservation Board. Emphasis will be placed on getting high-hazard dams under state regulation. This measure will likely fluctuate due to greater numbers of dams coming into the regulatory system and stricter enforcement of those already in it.

# Service Area Plan

## Department Of Conservation And Recreation

### *Dam Inventory, Evaluation and Classification and Flood Plain Management (50314)*

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- **Measure 50314.01.02**

*Percent of communities compliant with FEMA floodplain regulations.*

**Measure Type:** Output

**Measure Frequency:** Annually

**Measure Baseline:** As of July 1, 2005, the National Flood Insurance Program's (NFIP) inventory indicated that 285 communities were required to be compliant with FEMA floodplain management regulations and 85% of the communities are currently compliant.

**Measure Target:** 95% of communities in the NFIP inventory will be compliant with local regulations that fully meet FEMA's floodplain management regulations.

**Measure Source and Calculation:**

DCR's Division of Dam Safety and Floodplain Management maintains a NFIP inventory of Virginia communities which tracks compliance with FEMA regulations and the number of flood insurance policies issued. By evaluating data from the inventory and using established minimum criteria, staff determines priorities for community visitation. Compliance will be based on the results of community assessment visits conducted with local officials and each community's adoption of a compliant floodplain management ordinance.

**Objective 50314.01 Has the Following Strategies:**

- Develop a dam break inundation zone model ordinance.
- Update and maintain inventory of dams in Virginia.
- Conduct site visits of dams.
- Review dam certificates and permit applications and make recommendations to the Virginia Soil and Water Conservation Board.
- Provide public education of the proper inspection, maintenance, and operating requirements of dams.
- Provide technical assistance, education, and outreach to localities and citizens on floodplain management and flood hazard mapping issues.
- Assist FEMA with the management and prioritization of flood mapping projects.
- Provide updates to FEMA's flood mapping needs inventory based on input from localities.

# Service Area Plan

## *Department Of Conservation And Recreation*

### *Natural Heritage Preservation and Management (50317)*

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## **Service Area Background Information**

### **Service Area Description**

The Department of Conservation and Recreation's Natural Heritage Program conserves Virginia's biological diversity through inventory, conservation information, protection, and stewardship. This involves extensive plant, animal, and natural community field research and the maintenance of a comprehensive database of the biota of Virginia. Virginia manages a growing Natural Area Preserve System currently containing 46 properties and over 40,000 acres, managing the best examples of Virginia's natural habitats, and rarest plant and animal species for present and future Virginians.

### **Service Area Alignment to Mission**

The Natural Heritage Division works to conserve Virginia's biological diversity through inventory, conservation information, protection, and management.

# Service Area Plan

## *Department Of Conservation And Recreation*

### *Natural Heritage Preservation and Management (50317)*

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#### **Service Area Statutory Authority**

- The overarching authority may be found in Section 1 of Article XI of the Virginia Constitution that reads: "To the end that the people have clean air, pure water, and the use and enjoyment for recreation of adequate public lands, waters, and other natural resources, it shall be the policy of the Commonwealth to conserve, develop, and utilize its natural resources, its public lands, and its historical sites and buildings. Further, it shall be the Commonwealth's policy to protect its atmosphere, lands, and waters from pollution, impairment, or destruction, for the benefit, enjoyment, and general welfare of the people of the Commonwealth."
- The department is authorized to establish criteria for the selection, registration and dedication of natural areas and natural area preserves; grant permits to qualified persons for the conduct of scientific research and investigations within natural area preserves; provide recommendations to the Department of Agriculture and Consumer Services and to the Department of Game and Inland Fisheries concerning their regulatory activities related to endangered species; produce an inventory of the Commonwealth's natural heritage resources; maintain a natural heritage data bank; develop a natural heritage plan to establish priorities for the protection, acquisition and management of registered and dedicated natural areas and natural area preserves; and maintain a state registry of voluntarily protected natural areas to be called the Virginia Registry of Natural Areas. General fund appropriations, gifts, bequests, devises, fees, lease proceeds, and funds accruing from, or attributable to, the use or management of state natural area preserves acquired or held by the Department are to be deposited to the Natural Area Preservation Fund. Code of Virginia, Title 10.1, Chapter 2, Article 3. (Virginia Natural Area Preserves Act §10.1-209-217)
- The department may issue a permit to excavate or remove any archaeological, paleontological, prehistoric or historic feature of any cave, or to carry out other scientific investigations or collections. The department, through the Virginia Cave Board, is responsible for protecting rare, unique, and irreplaceable minerals and archaeological resources found in caves; rare and endangered animal or other life forms found in caves; ground water flow in caves; and the integrity of caves that have unique characteristics or are exemplary natural community types. Code of Virginia, Title 10.1, Chapter 10. (Cave Protection Act §10.1-1000-1008)
- The director shall serve as executive secretary to the Virginia Land Conservation Foundation and shall be responsible for providing technical assistance and performing any administrative duties that the Foundation may direct. Additionally, the Department shall administer the Foundation's lands as if such lands were departmental lands, and the regulations established by the Director for the management and protection of departmental lands shall apply to real estate held by the Foundation. The Department's conservation officers commissioned under § 10.1-115 shall have jurisdiction on all of the Foundation's lands and waters. Code of Virginia, Title 10.1, Chapter 10.2. (Virginia Land Conservation Foundation § 10.1-1022.1)
- Invasive Species Council; Code of Virginia, Title 10.1, Chapter 26, § § 10.1-2600 et seq.
- The director may request the Governor to commission individuals designated by the director to act as conservation officers of the Commonwealth. Commissioned conservation officers shall be law-enforcement officers and shall have power to enforce the laws of the Commonwealth and the regulations of the Department and the collegial bodies under administrative support of the Department. If requested by the chief law-enforcement officer of the locality, conservation officers shall coordinate the investigation of felonies with the local law-enforcement agency. The Department's Conservation officers shall also have the power to arrest without warrant in certain cases as authorized pursuant to § 19.2-81.
- Conservation officers shall have jurisdiction throughout the Commonwealth on all Department lands and waters and upon lands and waters under the management or control of the Department; on property of the United States government or a department or agency thereof on which the Commonwealth has concurrent jurisdiction and is contiguous with land of the Department or on which the Department has a management

# Service Area Plan

## Department Of Conservation And Recreation

### Natural Heritage Preservation and Management (50317)

interest; on a property of another state agency or department whose property is contiguous with land of the Department; and in those local jurisdictions in which mutual aid agreements have been established pursuant to § 15.2-1736.

- Special conservation officers appointed pursuant to § 10.1-115 shall have jurisdiction throughout the Commonwealth. Upon separation from the Department, incapacity, death, or other good cause, the Director may recommend in writing the decommissioning of any conservation officer to the Governor. The Director may designate certain conservation officers to be special conservation officers. Special conservation officers shall have the same authority and power as sheriffs throughout the Commonwealth to enforce the laws of the Commonwealth. Code of Virginia, Title 10.1, Chapter 1, Article 4.

- The governing bodies of localities, and state-supported institutions of higher learning having a police force, as well as sheriffs with law-enforcement authority within localities without a police force, and the Director of the Department of Conservation and Recreation with commissioned conservation officers, or any combination thereof may, by proper resolutions, enter in and become a party to contracts or mutual aid agreements for the use of their joint police or other law-enforcement forces, both regular and auxiliary, their equipment and materials to maintain peace and good order. Any police or other law-enforcement officer, regular or auxiliary, while performing his duty under any such contract or agreement, shall have the same authority in such locality as he has within the locality where he was appointed. In counties where no police department has been established, the sheriff may, in his discretion, enter into mutual aid agreements as provided by this section. Code of Virginia, Title 15.2, Chapter 17. Article 3, § 15.2-1736.

#### Service Area Customer Base

Customer(s)	Served	Potential
Agricultural Community	100	100
Boards and Foundations	10	11
Conservation Organizations and Land Trusts	50	50
Educational Institutions/educators/students/researchers	30,000	30,000
Government Agencies (Federal, State, and Local)	184	184
Landowners	500	1,000
Recreational Users (campers, picnickers, hikers, etc.)	5,000	6,000
Soil and Water Conservation Districts	47	47
Special Customer Groups	25	30

#### Anticipated Changes In Service Area Customer Base

A growing number of visitors to the expanding Natural Area Preserve System is anticipated. The additional visitors will place increasing and changing use demands on the System.

The growing number of land trusts (25+) and non-profits, the regulated community, and local governments will be seeking new types of biodiversity and land conservation information, and expect it to be made readily available via the internet and in a user-friendly format.

Customers that seek technological information will increase, especially via the internet.



# Service Area Plan

## *Department Of Conservation And Recreation*

### *Natural Heritage Preservation and Management (50317)*

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#### **Service Area Partners**

Agricultural Community

#### **Service Area Partners**

Boards and Foundations

#### **Service Area Partners**

Chesapeake Bay Program (Includes the U.S. Environmental Protection Agency, Maryland, Pennsylvania, and the District of Columbia)

#### **Service Area Partners**

Contractual Services

#### **Service Area Partners**

##### **Federal Agencies**

Environmental Protection Agency; National Oceanic and Atmospheric Administration; National Park Service; Natural Resources Conservation Service; U.S. Army Corps of Engineers; U.S. Fish and Wildlife Service; U.S. Forest Service

#### **Service Area Partners**

##### **Local Governments**

Departments of Parks and Recreation; Local Planning, Zoning and Building Officials

#### **Service Area Partners**

Non profits

#### **Service Area Partners**

Regional Planning District Commissions

#### **Service Area Partners**

Soil and Water Conservation Districts

#### **Service Area Partners**

##### **State Agencies**

Virginia Department of Agriculture and Consumer Services; Virginia Department of General Services; Virginia Department of Historic Resources; Virginia Department of Mines, Minerals and Energy; Virginia Department of Environmental Quality; Virginia Department of Forestry; Virginia Department of Game and Inland Fisheries; Virginia Department of Health; Virginia Department of Transportation; Virginia Institute of Marine Science; Virginia Marine Resources Commission

#### **Service Area Partners**

Volunteers and Volunteer Groups

# Service Area Plan

## Department Of Conservation And Recreation

### Natural Heritage Preservation and Management (50317)

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#### **Service Area Products and Services**

- Financial Assistance
- Outdoor Recreational Activities
- Regulatory Programs - Information
- Technical Assistance
- Public Education
- Public Information
- Permitting, Regulation, and Enforcement
- Public Safety (dam safety, law enforcement, etc.)
- Invasive species information and management
- Rare species and natural community inventory, information, and management
- Cave and karst conservation services

#### **Factors Impacting Service Area Products and Services**

- state funding levels
- insufficient staffing levels in key program areas
- declining federal funding levels
- increased demand for agency services/products

#### **Anticipated Changes To Service Area Products and Services**

- The increasing size of the Natural Area Preserve (NAP) System will increase demand on existing staff for biological resource management as well as law enforcement and operational issues.
- Management complexity will increase, including more required oversight of easements and NAP boundaries.
- Evolving remote imagery and techniques will demand more training of natural heritage inventory staff. There is a growing demand and expectation from the land conservation community for natural heritage inventory staff to provide land conservation technical assistance from inventory, to monitoring, to management. More natural heritage information will need to be produced and distributed to the land conservation and land use community, via evolving internet mapping and database technology. Staff will be increasingly required to learn new and evolving technologies to keep pace with technical service and information demands.

#### **Service Area Human Resources Summary**

##### **Service Area Human Resources Overview**

# Service Area Plan

## Department Of Conservation And Recreation

### Natural Heritage Preservation and Management (50317)

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#### Service Area Full-Time Equivalent (FTE) Position Summary

Effective Date:

Total Authorized Position level .....

Vacant Positions .....

Non-Classified (Filled).....

Full-Time Classified (Filled) .....

Part-Time Classified (Filled) .....

Faculty (Filled) .....

Wage .....

Contract Employees .....

Total Human Resource Level .....

#### Factors Impacting Service Area Human Resources

#### Anticipated Changes in Service Area Human Resources

#### Service Area Financial Summary

The Natural Heritage program non-capital budget is 70% general funds, and Natural Heritage has a 20 year history of successfully seeking competitive nongeneral funds (30%) in the form of contracts and grants to more adequately accomplish the mission. The nongeneral funds require nongeneral fund FTE to accomplish the work, and the funds come from some fifteen different sources.

With the expansion of the Natural Area Preserve System brought about largely through the 1992 and 2002 bond funding, DCR has a documented need for additional operating funds and FTE to properly manage and protect the key natural resources on these properties and to make them publicly accessible.

	<u>Fiscal Year 2007</u>		<u>Fiscal Year 2008</u>	
	General Fund	Nongeneral Fund	General Fund	Nongeneral Fund
<b>Base Budget</b>	\$1,978,535	\$1,417,703	\$1,978,535	\$1,417,703
<b>Changes To Base</b>	\$0	\$0	\$0	\$0
<b>SERVICE AREA TOTAL</b>	<b>\$1,978,535</b>	<b>\$1,417,703</b>	<b>\$1,978,535</b>	<b>\$1,417,703</b>

# Service Area Plan

## Department Of Conservation And Recreation

### Natural Heritage Preservation and Management (50317)

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## Service Area Objectives, Measures, and Strategies

### Objective 50317.01

#### ***Preserve the natural diversity of biological resources of the Commonwealth.***

Virginia has a rich diversity of plants, animals, and natural communities. Southwestern Virginia, for example, has been identified as one of only six biological diversity hotspots in the United States. During Heritage inventories, 23 species new to science and over 200 species never before recorded in Virginia have been documented by the Natural Heritage Program. Inventory will continue to be a focus as well as the efficient management and dissemination of the gathered conservation information in a timely and cost-effective manner, and the protection and proper habitat management of the Commonwealth's native species and significant natural communities.

#### **This Objective Supports the Following Agency Goals:**

- Advance the protection, conservation, and stewardship of Virginia's significant natural areas, conservation lands, and natural heritage resources.

#### **This Objective Has The Following Measure(s):**

- **Measure 50317.01.01**

##### ***Number of natural heritage conservation sites protected and properly managed.***

**Measure Type:** Outcome

**Measure Frequency:** Annually

**Measure Baseline:** As of FY06, approximately 124 of the 823 (or 15.1%) of the globally significant conservation sites are protected and properly managed.

**Measure Target:** Increase the percentage of protected globally significant conservation sites protected and properly managed by 4 sites annually (or 0.5%). For FY07, 128 sites will be protected and properly managed.

##### **Measure Source and Calculation:**

Natural Heritage conservation site information along with protected lands data is managed in DCR's Biotics information management system. The database will be queried to determine the number of globally significant conservation sites each year and the percentage of these sites that are protected and properly managed for biodiversity conservation. Stream conservation units were not included in this calculation. Karst and all terrestrial conservation sites were included. This number was 823 on May 5, 2006.

- **Measure 50317.01.02**

##### ***Number of critical natural area resource enhancement projects completed annually.***

**Measure Type:** Output

**Measure Frequency:** Annually

**Measure Baseline:** 5 critical natural area resource enhancement projects completed in FY05.

**Measure Target:** 20 Natural Heritage Resource enhancement actions annually.

##### **Measure Source and Calculation:**

Natural Heritage will track and summarize the number of resource management projects conducted to benefit natural heritage resources. This will include the total of prescribed burns, invasive species control projects, public access projects, wildlife management projects, restoration plantings, and monitoring projects completed during the reporting period

#### **Objective 50317.01 Has the Following Strategies:**

- Identify, rank, and update natural heritage plant, animal and natural community lists.

# Service Area Plan

## *Department Of Conservation And Recreation*

### *Natural Heritage Preservation and Management (50317)*

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- Prioritize natural heritage resource inventory focus areas annually.
- Prioritize and ensure acquisition of critical data sets for incorporation into Biotics.
- Develop and expand delivery of conservation information including internet web mapping applications.
- Prioritize and carry out public land registry.
- Establish 10 joint projects with conservation partners each year.
- Complete natural area preserve management plans and identify natural heritage resource management priorities for research, restoration, and population or community maintenance.
- Implement priority management actions including prescribed fire, invasive species control, and habitat restoration, and deer population management.
- Conduct rare plant and animal species and natural community, fire effects, invasive species, and habitat restoration monitoring.
- Maintain NAP facilities and boundaries; ensure public access and visitor safety; enforce DCR regulations.

# Service Area Plan

## Department Of Conservation And Recreation

### Financial Assistance to Soil and Water Conservation Districts (50320)

#### Service Area Background Information

##### Service Area Description

To provide financial assistance to Virginia's Soil and Water Conservation Districts (SWCDs) for support of their operations which conserve soil and water resources, improve water quality, coordinate local conservation activities, and maintain water control structures they own.

##### Service Area Alignment to Mission

Supporting the state's 47 SWCDs provides a direct, local delivery system of programs and services that improve soil and water resources, coordinated through the Commonwealth to achieve regional and state natural resource objectives.

##### Service Area Statutory Authority

- The Department shall be assisted in performing its nonpoint source pollution management responsibilities by Virginia's soil and water conservation districts. Assistance by the soil and water conservation districts in the delivery of local programs and services may include (i) the provision of technical assistance to advance adoption of conservation management services, (ii) delivery of educational initiatives targeted at youth and adult groups to further awareness and understanding of water quality issues and solutions, and (iii) promotion of incentives to encourage voluntary actions by landowners and land managers in order to minimize nonpoint source pollution contributions to state waters. Code of Virginia, Title 10.1, Chapter 5, § 10.1-104.1.B. Department to be lead agency for nonpoint source pollution program.
- The Virginia Soil and Water Conservation Board is authorized to approve the creation, boundary modification, and discontinuance of soil and water conservation districts; to approve applications for federal aid for soil and water conservation programs; and to make loans from state funds to local authorities for such programs; and the board may give or lend financial aid and other assistance to soil and water conservation districts. The board is authorized to promulgate regulations to carry out these functions. The director provides department staff necessary for the execution of the functions of the board. Code of Virginia, Title 10.1, Chapter 5, Articles 2 and 3.
- The Virginia Soil and Water Conservation Board and the department have issued guidelines for realignment of district boundaries and instructions, policy statements, and forms for administration of the loan and grant programs.

##### Service Area Customer Base

Customer(s)	Served	Potential
Soil and Water Conservation Districts	47	47

##### Anticipated Changes In Service Area Customer Base

There are no anticipated changes in the customer base.

# Service Area Plan

## Department Of Conservation And Recreation

### Financial Assistance to Soil and Water Conservation Districts (50320)

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#### **Service Area Partners**

Agricultural Community

#### **Service Area Partners**

Boards and Foundations

#### **Service Area Partners**

Chesapeake Bay Program (Includes the U.S. Environmental Protection Agency, Maryland, Pennsylvania, and the District of Columbia)

#### **Service Area Partners**

Contractual Services

#### **Service Area Partners**

Engineers and Consultants

#### **Service Area Partners**

Federal Agencies

Environmental Protection Agency; Natural Resources Conservation Service; Tennessee Valley Authority; U.S. Forest Service; U.S. Army Corps of Engineers; U.S. Fish and Wildlife Service

#### **Service Area Partners**

Local Governments

#### **Service Area Partners**

Non profits

#### **Service Area Partners**

Regional Planning District Commissions

#### **Service Area Partners**

Soil and Water Conservation Districts

#### **Service Area Partners**

State Agencies

Virginia Department of Agriculture and Consumer Services; Virginia Department of Mines. Minerals and Energy; Virginia Department of Environmental Quality; Virginia Department of Forestry; Virginia Department of Game and Inland Fisheries; Virginia Department of Health; Virginia Department of Transportation; Virginia Institute of Marine Science

#### **Service Area Partners**

Vendors

# Service Area Plan

## Department Of Conservation And Recreation

### Financial Assistance to Soil and Water Conservation Districts (50320)

#### Service Area Products and Services

- Financial Assistance
- Technical Assistance
- Public Education
- Public Information
- Public Safety (dam safety, law enforcement, etc.)

#### **Factors Impacting Service Area Products and Services**

- Appropriations (funding amounts and guidance) provided by the General Assembly.
- Changes to the number of SWCDs (creation and/or division of SWCDs requiring additional financial support).
- Changes in the role of SWCDs due to the Administration's or General Assembly's actions.

#### **Anticipated Changes To Service Area Products and Services**

- In order to achieve the Commonwealth's required water quality improvements, the Administration and General Assembly are exploring funding solutions that would provide a permanent, sufficient, and stable source of funding. The SWCDs would be one of the key partners in delivering agricultural best management practice cost-share funding to the agricultural community. This would require a significant increase to the services provided by the Districts and will require a ramping up in both District and DCR staff to deliver these services.

#### Service Area Financial Summary

This General Fund appropriation is distributed to the Soil and Water Conservation Districts in accordance with program, financial, and resource allocation policies established by the Virginia Soil and Water Conservation Board.

For Virginia to achieve its Chesapeake Bay, TMDL, and other water quality goals, increased funding to the Districts for service delivery and increased constituent outreach will be a critical element.

	<u>Fiscal Year 2007</u>		<u>Fiscal Year 2008</u>	
	General Fund	Nongeneral Fund	General Fund	Nongeneral Fund
<b>Base Budget</b>	\$4,818,440	\$0	\$4,818,440	\$0
<b>Changes To Base</b>	\$0	\$0	\$0	\$0
<b>SERVICE AREA TOTAL</b>	<b>\$4,818,440</b>	<b>\$0</b>	<b>\$4,818,440</b>	<b>\$0</b>



# Service Area Plan

## Department Of Conservation And Recreation

### Financial Assistance to Soil and Water Conservation Districts (50320)

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## Service Area Objectives, Measures, and Strategies

### Objective 50320.01

***Provide funding to Soil and Water Conservation Districts (SWCDs) to support their effective local delivery of soil and water conservation programs, services, and flood control.***

State funds made available to Virginia's 47 local SWCDs enable them to support and assist in addressing state soil and water initiatives and ensure the safe condition of their flood control structures. Soil and water conservation district boards are made up of locally-elected directors and appointed persons.

#### **This Objective Supports the Following Agency Goals:**

- Enhance public safety by administering effective dam safety and flood plain management programs.
- Improve the quality of Virginia's waters and the Chesapeake Bay through non-point source pollution reduction programs and sound land use management.

#### **This Objective Has The Following Measure(s):**

- **Measure 50320.01.01**

***Percentage of funds budgeted for SWCDs dispersed according to State Budget and State Board policies.***

**Measure Type:** Output

**Measure Frequency:** Annually

**Measure Baseline:** 100%

**Measure Target:** 100%

**Measure Source and Calculation:**

The Commonwealth's financial system (CARRS) enables the tracking of fund disbursements to SWCDs and can verify achievement of the measure following the close of the fiscal year. A report will be compiled at year-end showing the disbursements to all the local Soil and Water Conservation Districts.

#### **Objective 50320.01 Has the Following Strategies:**

- Seek Virginia Soil and Water Conservation Board approval of SWCD agreement performance deliverables prior to June 1st annually.
- Establish grant agreements with 47 SWCDs, specifying funding amounts and performance deliverables, based on available funding by August 1st annually.
- Issue funding quarterly to all SWCDs according to grant agreement timelines.
- Assess fulfillment of performance deliverables for each DCR/SWCD grant agreement (47) and present to Virginia Soil and Water Conservation Board by January 1st annually.

# Service Area Plan

## Department Of Conservation And Recreation

### Technical and Financial Assistance for Land Management (50322)

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## Service Area Background Information

### Service Area Description

Eighty-four local counties, cities, and towns in the coastal/ eastern Virginia are required by state law to comply with the Chesapeake Bay Preservation Act and related regulations. DCR partners with these local governments, other public and private entities, and citizens to promote the protection of the Chesapeake Bay and other state waters through sound land use management. DCR staff provide education and training, technical and financial assistance, and regulatory oversight to ensure full compliance and effective implementation of the Chesapeake Bay Preservation Act.

### Service Area Alignment to Mission

This service area works with Virginians to conserve, protect, and enhance their lands and waters.

### Service Area Statutory Authority

- On July 1, 2004, in accordance with Items 379 and 382J of Chapter 4 (Appropriations Act) of the 2004 Virginia Acts of Assembly, Special Session I, that directed the merger of the Chesapeake Bay Local Assistance Department into DCR effective July 1, 2004, the Governor issued a memo to the director of DCR vesting him with the powers of the former executive director of the Chesapeake Bay Local Assistance Department. The director shall carry out management and supervisory responsibilities in accordance with the regulations and policies of the Chesapeake Bay Local Assistance Board. The director shall be vested with all the authority of the board, including the authority of the board to institute or intervene in legal and administrative actions to ensure compliance by local governing bodies with this chapter, and with any criteria or regulations adopted hereunder, when it is not in session, subject to such regulations as may be prescribed by the board. In no event shall the director have the authority to promulgate any final regulations. Chapter 41 of the 2005 Virginia Acts of Assembly (SB1103) amended the Act effective July 1, 2005 to finalize the merger and to bring the administration of the Chesapeake Bay Preservation Act under the auspices of DCR. Code of Virginia, Title 10.1, Chapter 21.

- Chapter 608 of the 1988 Acts of Assembly enacted the Chesapeake Bay Preservation Act. Code of Virginia, Title 10.1, Chapter 21. The Act creates the Chesapeake Bay Local Assistance Board, responsible to the Governor, to carry out the purposes and provisions of the Chesapeake Bay Preservation Act. The Board is required to promulgate regulations that establish criteria for use by local governments to determine the ecological and geographic extent of Chesapeake Bay Preservation Areas. The Board must also promulgate regulations that establish criteria for use by local governments in granting, denying, or modifying requests to rezone, subdivide, or to use and develop land in these areas. Local governments are required to use the criteria promulgated by the Board to ensure that the use and development of land in Chesapeake Bay Preservation Areas is accomplished in a manner that protects the quality of state waters. The oversight for this Board was transferred to the Department of Conservation and Recreation, effective on July 1, 2004, pursuant to Items 379 and 382J of Chapter 4 (Appropriations Act) of the 2004 Virginia Acts of Assembly, Special Session I and finalized pursuant to Code changes during the 2005 Session. Chapter 41 of the 2005 Virginia Acts of Assembly (SB1103) amended the Act effective July 1, 2005 to finalize the merger and to bring the administration of the Chesapeake Bay Preservation Act under the auspices of DCR.

§ 9 VAC 10-10. Public Participation Guidelines, eff. Jan 1, 1993; amended May 20, 1994, Jan. 29, 2003, and December 14, 2005.

§ 9 VAC 10-20. Chesapeake Bay Preservation Area Designation and Management Regulations, eff. Oct. 1, 1991; amended Mar. 1, 2002.

- § 6217 of the Coastal Zone Management Act

# Service Area Plan

## Department Of Conservation And Recreation

### Technical and Financial Assistance for Land Management (50322)

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#### Service Area Customer Base

Customer(s)	Served	Potential
Agricultural Community	200	20,000
Boards and Foundations	1	1
Conservation Organizations and Land Trusts	5	15
Government Agencies (Federal, State, and Local)	95	300
Regulated Community	84	84
Soil and Water Conservation Districts	12	47
Special Customer Groups	10	10

#### **Anticipated Changes In Service Area Customer Base**

Increased population growth in areas regulated by the Chesapeake Bay Preservation Act will result in development which should result in a greater number of citizens groups, conservation organizations, and localities interested in Chesapeake Bay compliance issues and seeking guidance regarding sound land use techniques.

# Service Area Plan

## Department Of Conservation And Recreation

### Technical and Financial Assistance for Land Management (50322)

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#### **Service Area Partners**

Agricultural Community

#### **Service Area Partners**

Boards and Foundations

#### **Service Area Partners**

Chesapeake Bay Program (Includes the U.S. Environmental Protection Agency, Maryland, Pennsylvania, and the District of Columbia)

#### **Service Area Partners**

Engineers and Consultants

#### **Service Area Partners**

##### **Federal Agencies**

Environmental Protection Agency; National Oceanic and Atmospheric Administration; Natural Resource Conservation Service; U.S. Army Corps of Engineers; U.S. Forest Service; National Park Service

#### **Service Area Partners**

##### **Local Governments**

Local Planning, Zoning and Building Officials; Departments of Parks and Recreation; Public Works

#### **Service Area Partners**

Regional Planning District Commissions

#### **Service Area Partners**

Soil and Water Conservation Districts

#### **Service Area Partners**

##### **State Agencies**

Virginia Department of Agriculture and Consumer Services; Virginia Department of General Services; Virginia Department of Environmental Quality; Virginia Department of Forestry; Virginia Department of Health; Virginia Department of Rail and Public Transportation; Virginia Department of Transportation; Virginia Marine Resources Commission; Virginia Institute of Marine Science; Virginia Department of Game and Inland Fisheries; Virginia Department of Historic Resources; Virginia Department of Housing and Community Development

#### **Service Area Products and Services**

- Permitting, Regulation and Enforcement
- Regulatory Programs - Information
- Technical Assistance
- Public Education
- Public Information
- Financial Assistance

# Service Area Plan

## Department Of Conservation And Recreation

### Technical and Financial Assistance for Land Management (50322)

#### Factors Impacting Service Area Products and Services

- state funding levels
- expanding state and/or federal requirements
- increased demand for agency services/ products

#### Anticipated Changes To Service Area Products and Services

- Revisions to Bay Act Regulations are under consideration and could impact future services.
- Increased education and outreach to localities is necessary to further Bay Act compliance and understanding.
- There will be opportunities for increased services through implementation of tributary strategies.

#### Service Area Human Resources Summary

##### Service Area Human Resources Overview

##### Service Area Full-Time Equivalent (FTE) Position Summary

Effective Date:

Total Authorized Position level .....

Vacant Positions .....

Non-Classified (Filled).....

Full-Time Classified (Filled) .....

Part-Time Classified (Filled) .....

Faculty (Filled) .....

Wage .....

Contract Employees .....

Total Human Resource Level .....

##### Factors Impacting Service Area Human Resources

##### Anticipated Changes in Service Area Human Resources

#### Service Area Financial Summary

	<u>Fiscal Year 2007</u>		<u>Fiscal Year 2008</u>	
	General Fund	Nongeneral Fund	General Fund	Nongeneral Fund
Base Budget	\$872,544	\$0	\$872,544	\$0
Changes To Base	\$0	\$0	\$0	\$0
<b>SERVICE AREA TOTAL</b>	<b>\$872,544</b>	<b>\$0</b>	<b>\$872,544</b>	<b>\$0</b>

# Service Area Plan

## Department Of Conservation And Recreation

### Technical and Financial Assistance for Land Management (50322)

## Service Area Objectives, Measures, and Strategies

### Objective 50322.01

#### ***Ensure compliance with the water quality protections contained in the Chesapeake Bay Preservation Act.***

The 84 local counties, cities, and towns in the coastal/Eastern region of Virginia are required by state law to comply with the Bay Act and Regulations. This objective will focus on achieving a high rate of compliance with state requirements in order to provide more consistent protection for the Chesapeake Bay and the tidal Virginia waters that feed into it.

#### **This Objective Supports the Following Agency Goals:**

- Improve the quality of Virginia's waters and the Chesapeake Bay through non-point source pollution reduction programs and sound land use management.

#### **This Objective Has The Following Measure(s):**

- **Measure 50322.01.01**

***Number of localities reviewed deemed compliant with the Chesapeake Bay Preservation Act.***

**Measure Type:** Output

**Measure Frequency:** Annually

**Measure Baseline:** As of May 2006, 20 local programs reviewed have been deemed compliant.

**Measure Target:** 30 local programs deemed compliant by the end of FY 2007.

**Measure Source and Calculation:**

DCR's Division of Chesapeake Bay Local Assistance maintains a database tracking the number of localities that have been evaluated, the types of compliance issues staff noted, and the deadlines given to implement the conditions to bring them into full compliance.

- **Measure 50322.01.02**

***Number of education, training, and outreach activities conducted for localities and stakeholders.***

**Measure Type:** Output

**Measure Frequency:** Annually

**Measure Baseline:** 10 education, training or outreach activities were conducted in FY06.

**Measure Target:** 14 education, training or outreach activities conducted annually.

**Measure Source and Calculation:**

Education, training, and outreach activities is a measure of the level of understanding and improved compliance with the provisions of the Chesapeake Bay Act. DCR has created a database to track the number of training events and activities (such as conferences, workshops, presentations, etc.) for elected and government officials, local government staff, engineers, and consultants. The database also includes information on the customers who received the information and the type of information presented.

#### **Objective 50322.01 Has the Following Strategies:**

- Use the locality Annual Report process to monitor continued local compliance.
- Incorporate information on compliance evaluations onto DCR's website.
- Complete development of an education and outreach plan.
- Complete locality survey of educational and training needs.
- Develop a network of stakeholders to support the activities of the service area.

# **Service Area Plan**

## ***Department Of Conservation And Recreation***

### ***Technical and Financial Assistance for Land Management (50322)***

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- Provide localities with a compliance evaluation checklist 2 months in advance of initial compliance evaluation so they are informed as to the kinds of information the Department is seeking.
- Incorporate a compliance evaluation module in the annual locality workshop so they will become familiar with DCR's expectations for the compliance evaluations.
- Provide services, including grants, to localities to help them address compliance issues.

# Service Area Plan

## Department Of Conservation And Recreation

### Preservation of Open Space Lands (50401)

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## Service Area Background Information

### Service Area Description

This service area includes operational expenses transferred to the Virginia Outdoors Foundation; funds appropriated to the Virginia Land Conservation Foundation (VLCF) for grant opportunities, and administrative support of the VLCF including grants management and the development of land conservation tracking and targeting tools and conservation plans on behalf of the VLCF; and activities related to the management and outreach activities of DCR's Office of Land Conservation. The Office of Land Conservation provides outreach, training, and technical support for Virginia's land trust community and assistance to the citizens of the Commonwealth.

### Service Area Alignment to Mission

DCR works with Virginians to conserve, protect, and enhance their lands and water.

### Service Area Statutory Authority

- The overarching authority may be found in Section 1 of Article XI of the Virginia Constitution that reads: "To the end that the people have clean air, pure water, and the use and enjoyment for recreation of adequate public lands, waters, and other natural resources, it shall be the policy of the Commonwealth to conserve, develop, and utilize its natural resources, its public lands, and its historical sites and buildings. Further, it shall be the Commonwealth's policy to protect its atmosphere, lands, and waters from pollution, impairment, or destruction, for the benefit, enjoyment, and general welfare of the people of the Commonwealth."
- The director shall serve as executive secretary to the Virginia Land Conservation Foundation and shall be responsible for providing technical assistance and performing any administrative duties that the Foundation may direct. As such the director is responsible for developing for the Chairman of the Board an executive summary and report of the interim activity and work of the Board on or before December 15 of each even-numbered year. The document shall report on the status of the Foundation and its Fund including, but not limited to, implementation of its strategic plan; land conservation targeting tools developed for the Foundation; descriptions of projects that received funding; a description of the geographic distribution of land protected; expenditures from, interest earned by, and financial obligations of the Fund; and progress made toward recognized state and regional land conservation goals. Additionally, the Department shall administer the Foundation's lands as if such lands were departmental lands, and the regulations established by the Director for the management and protection of departmental lands shall apply to real estate held by the Foundation. The Department's conservation officers commissioned under § 10.1-115 shall have jurisdiction on all of the Foundation's lands and waters. Code of Virginia, Title 10.1, Chapter 10.2.
- The director of the department is responsible for prescribing uniform standards relating to real estate devoted to open-space use under Special Assessment for Land Preservation commonly known as the Land Use Assessment Law. Code of Virginia, Title 58.1, Chapter 32, Article 4.
- Virginia Outdoors Foundation; Code of Virginia, Title 10.1, Chapter 18, § § 10.1-1800 et seq.
- Open Space Land Act; Code of Virginia, Title 10.1, Chapter 17, § § 10.1-1700 et seq.
- Virginia Conservation Easement Act; Code of Virginia, Title 10.1, Chapter 10.1, § § 10.1-1009 et seq.
- DEPARTMENT OF CONSERVATION AND RECREATION (4 VAC 5)  
§ 4 VAC 5-20. Standards for Classification of Real Estate as Devoted to Open Space Use Under the Virginia Land Use assessment Law, eff. Apr. 28, 1976; amended Jan. 5, 1989.



# Service Area Plan

## Department Of Conservation And Recreation

### Preservation of Open Space Lands (50401)

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#### Service Area Customer Base

Customer(s)	Served	Potential
Agricultural Community	50	250
Boards and Foundations	2	2
Conservation Organizations and Land Trusts	25	40
Government Agencies (Federal, State, and Local)	25	25
Soil and Water Conservation Districts	47	47
Special Customer Groups	50	150

#### **Anticipated Changes In Service Area Customer Base**

Virginia's increasing population and the commensurate growth of communities and expansion into rural areas is placing greater pressure on Virginia's open space resources. Acres of open space, farmland, and forests are being converted through development annually. As development increases, DCR's customers are both going to expand and become more vocal and engaged in an effort to preserve open space. We expect an expansion in the number of conservation organizations and land trusts.

# Service Area Plan

## Department Of Conservation And Recreation

### Preservation of Open Space Lands (50401)

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#### **Service Area Partners**

Agricultural Community

#### **Service Area Partners**

Boards and Foundations

#### **Service Area Partners**

Chesapeake Bay Program (Includes the U.S. Environmental Protection Agency, Maryland, Pennsylvania, and the District of Columbia)

#### **Service Area Partners**

Contractual Services

#### **Service Area Partners**

Engineers and Consultants

#### **Service Area Partners**

##### **Federal Agencies**

Environmental Protection Agency; National Oceanographic and Atmospheric Administration; National Park Service; Natural Resources Conservation Service; U.S. Army Corps of Engineers; U.S. Fish and Wildlife Service; U.S. Forest Service

#### **Service Area Partners**

##### **Local Governments**

Departments of Parks and Recreation

#### **Service Area Partners**

Non-profits

#### **Service Area Partners**

Regional Planning District Commissions

#### **Service Area Partners**

Soil and Water Conservation Districts

#### **Service Area Partners**

##### **State Agencies**

Virginia Department of Agriculture and Consumer Services; Virginia Department of General Services; Virginia Department of Historic Resources; Virginia Department of Mines, Minerals and Energy; Virginia Council on Indians and Individual Indian Tribes; Virginia Department of Environmental Quality; Virginia Department of Forestry; Virginia Department of Game and Inland Fisheries; Virginia Department of Health; Virginia Department of Rails and Public Transportation; Virginia Department of Transportation; Virginia Institute of Marine Science; Virginia Marine Resources Commission

#### **Service Area Partners**

Tourism

# Service Area Plan

## Department Of Conservation And Recreation

### Preservation of Open Space Lands (50401)

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#### **Service Area Products and Services**

- Conservation lands tracking and targetting tools
- Property conservation through funding fee simple and easement acquisitions
- Financial Assistance
- Outdoor Recreational Activities
- Technical Assistance
- Public Education
- Public Information

#### **Factors Impacting Service Area Products and Services**

- state funding levels
- declining federal funding levels
- increased cost of construction materials, services, and land
- increased demand for agency services/products

#### **Anticipated Changes To Service Area Products and Services**

- More need for prioritizing what will be preserved.
- Greater need for education on benefits of land conservation.
- Greater need for regional and statewide land planning.
- Stronger land conservation network for better communication.

#### **Service Area Human Resources Summary**

##### **Service Area Human Resources Overview**

##### **Service Area Full-Time Equivalent (FTE) Position Summary**

Effective Date:

Total Authorized Position level .....

Vacant Positions .....

Non-Classified (Filled).....

Full-Time Classified (Filled) .....

Part-Time Classified (Filled) .....

Faculty (Filled) .....

Wage .....

Contract Employees .....

Total Human Resource Level .....

##### **Factors Impacting Service Area Human Resources**

##### **Anticipated Changes in Service Area Human Resources**

# Service Area Plan

## Department Of Conservation And Recreation

### Preservation of Open Space Lands (50401)

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#### Service Area Financial Summary

Included in this General Fund appropriation is \$2.5 M for the Virginia Land Conservation Foundation, \$1.3 M for the Virginia Outdoors Foundation, and \$71,000 for payroll costs for one employee to work with land conservation initiatives in the Agency's Land Conservation Office.

In order for the Commonwealth to meet its Chesapeake Bay land preservation commitments, a permanent source of sufficient funding for matching grants through the Virginia Land Conservation Foundation is necessary.

	<u>Fiscal Year 2007</u>		<u>Fiscal Year 2008</u>	
	General Fund	Nongeneral Fund	General Fund	Nongeneral Fund
Base Budget	\$4,074,989	\$300,000	\$3,874,989	\$300,000
Changes To Base	\$0	\$0	\$0	\$0
<b>SERVICE AREA TOTAL</b>	<b>\$4,074,989</b>	<b>\$300,000</b>	<b>\$3,874,989</b>	<b>\$300,000</b>

**Service Area Plan**  
**Department Of Conservation And Recreation**  
**Preservation of Open Space Lands (50401)**

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**Service Area Objectives, Measures, and Strategies**

**Objective 50401.01**

***Conserve important resource lands and meet Virginia's land conservation goals by 2010.***  
**(Key)**

The role of DCR's Office of Land Conservation is to provide assistance to conserve important resource lands and meet Virginia's 2010 land conservation goals through outreach, training, and support to Virginia's land trust and conservation community and to assist landowners and others with conservation issues. This includes providing staff to the Virginia Land Conservation Foundation (VLCF) Board of Trustees and effectively administering the VLCF grant program and conservation plan.

**This Objective Supports the Following Agency Goals:**

- Meet growing demands on Virginia's award-winning State Parks, while maintaining Virginia's traditional conservation orientation.
- Advance the protection, conservation, and stewardship of Virginia's significant natural areas, conservation lands, and natural heritage resources.

**This Objective Has The Following Measure(s):**

● **Measure 50401.01.01**

***The Commonwealth will, in conjunction with private and public partners, preserve for conservation purposes***

**Measure Type:** Outcome      **Measure Frequency:** Every Six Months

**Measure Baseline:** 65,763 acres in FY 2006.

**Measure Target:** 75,000 acres in FY 2007; 90,000 acres in FY 2008; 110,000 acres in FY 2009; 59,237 acres in FY 2010.

**Measure Source and Calculation:**

The number of acres permanently preserved from development between July 1, 2005 and December 31, 2009 will be tracked by DCR utilizing its conservation lands database.

● **Measure 50401.01.02**

***Percentage of land preserved towards the 20% Chesapeake Bay watershed goal.***

**Measure Type:** Outcome      **Measure Frequency:** Annually

**Measure Baseline:** 17.4% as of June 30, 2005

**Measure Target:** 0.6% increase annually (18.6% by June 30, 2007)

**Measure Source and Calculation:**

For each awarded grant, a written agreement is developed which sets a time frame for when the funded grant program must be closed (completed). The date on the grant agreement serves as the data source for this measure. Staff will track project implementation with the project sponsor to work towards completing the project and closing out the grant within the specified time frame. The measurement calculation will be the average percent of all grant projects completed in the established time frame from each given grant round beginning in 2005.

**Objective 50401.01 Has the Following Strategies:**

- Coordinate with other state agencies involved in land conservation.
- Coordinate with the Department of Taxation to determine the amount of land and the location of property preserved through the tax credit program.

# **Service Area Plan**

## ***Department Of Conservation And Recreation***

### ***Preservation of Open Space Lands (50401)***

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- Provide staff coordination for awarding and implementing Virginia Land Conservation Foundation grants.
- Assist local land trusts with land preservation efforts.
- Provide specialty workshops.
- Utilize DCR's Conservation Lands Database to track progress towards Governor Kaine's and the Bay Program's land conservation goals.

# Service Area Plan

## Department Of Conservation And Recreation

### Financial Assistance for Recreational Development (50402)

## Service Area Background Information

### Service Area Description

DCR administers several outdoor recreational grant programs that provide funding for acquisition and /or development of land for the protection and enhancement of cultural, natural, and outdoor recreation resources. Many of these grants are awarded to local governments and 501 (c) (3) organizations.

### Service Area Alignment to Mission

Through the provision of grant funding, we assist agencies, localities, and organizations in preserving, protecting, and enhancing Virginia's cultural, natural, & outdoor recreational resources for current and future generations.

### Service Area Statutory Authority

- The director has the responsibility to designate a public recreational area as such and recommend to the Commonwealth Transportation Board that an access road or bikeway be provided to the area. Code of Virginia, Title 33.1, Chapter 1, Article 15.
- Virginia Recreational Trails Fund; Symms National Recreational Trails Act of 1991 (P.L. 102-240) replaced by the Recreational Trails Program (RTP) in the Transportation Act for the 21st. Century (TEA-21) United States Code (23 U.S.M. 206), ), reauthorized in the Safe, Accountable, Transportation Efficiency Act (SAFETEA) and the newly authorized Safe, Accountable, Transportation Efficiency Act – Legacy for Users (SAFETEA-LU) in 2005.
- The Board of Conservation and Recreation provides recommendations to the director on grants and loans pertaining to outdoor recreation, on the designation of recreational sites eligible for recreational access road funds, on master plans and substantial acquisition or improvement amendments to master plans, and on designations for scenic rivers, scenic highways, and Virginia Byways. The Board is authorized to conduct fund-raising activities as deemed appropriate and will deposit such revenue into the State Parks Projects Fund. Code of Virginia, Title 10.1, Chapter 1, Article 2.
- The Department is authorized to establish and maintain a comprehensive plan for the development of public outdoor recreational facilities; to establish standards for such facilities; to disburse funds to local, regional, and other state agencies for acquiring and developing such facilities; and to make regulations to carry out the statute. It may develop recreational programs and assist state institutions, agencies, and political subdivisions in developing such programs. Code of Virginia, Title 10.1, Chapter 2, Article 2.
- Land and Water Conservation Fund Act of 1965; P.L. 88-578

### Service Area Customer Base

Customer(s)	Served	Potential
Conservation Organizations and Land Trusts	25	100
Government Agencies (Federal, State, and Local)	50	300
Recreational Users (campers, picnickers, hikers, etc.)	7,000,000	10,500,000
Special Customer Groups	100	300

### Anticipated Changes In Service Area Customer Base

None

# **Service Area Plan**

## ***Department Of Conservation And Recreation***

### ***Financial Assistance for Recreational Development (50402)***

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#### **Service Area Partners**

**Boards and Foundations**

#### **Service Area Partners**

**Federal Agencies**

Federal Highway Administration; U.S. Forest Service; National Park Service; U.S. Corps of Engineers

#### **Service Area Partners**

**Local Governments**

Departments of Parks and Recreation

#### **Service Area Partners**

**Non profits**

#### **Service Area Partners**

**State Agencies**

Virginia Department of Agriculture and Consumer Services; Virginia Department of Historic Resources; Virginia Department of Environmental Quality; Virginia Department of Forestry; Virginia Department of Game and Inland Fisheries

#### **Service Area Products and Services**

- Financial Assistance
- Technical Assistance
- Public Education
- Public Information

#### **Factors Impacting Service Area Products and Services**

- inadequate state funding levels
- declining federal funding levels
- increasing demand for agency services/products
- increased cost of construction materials, services, and lands

#### **Anticipated Changes To Service Area Products and Services**

DCR is currently able to fund approximately 30 - 40% of the grant applications received. With an increasing number of grant applications being received, there needs to be a stable and increased funding source provided.

#### **Service Area Human Resources Summary**

**Service Area Human Resources Overview**



# Service Area Plan

## Department Of Conservation And Recreation

### Financial Assistance for Recreational Development (50402)

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#### Service Area Full-Time Equivalent (FTE) Position Summary

Effective Date:

Total Authorized Position level .....

Vacant Positions .....

Non-Classified (Filled).....

Full-Time Classified (Filled) .....

Part-Time Classified (Filled) .....

Faculty (Filled) .....

Wage .....

Contract Employees .....

Total Human Resource Level .....

#### Factors Impacting Service Area Human Resources

#### Anticipated Changes in Service Area Human Resources

#### Service Area Financial Summary

All appropriations for this service area are distributed to local, regional, and state organizations to help develop outdoor recreational facilities and services.

	Fiscal Year 2007		Fiscal Year 2008	
	General Fund	Nongeneral Fund	General Fund	Nongeneral Fund
Base Budget	\$375,000	\$1,837,241	\$225,000	\$1,837,241
Changes To Base	\$0	\$0	\$0	\$0
<b>SERVICE AREA TOTAL</b>	<b>\$375,000</b>	<b>\$1,837,241</b>	<b>\$225,000</b>	<b>\$1,837,241</b>

# Service Area Plan

## Department Of Conservation And Recreation

### Financial Assistance for Recreational Development (50402)

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## Service Area Objectives, Measures, and Strategies

### Objective 50402.01

***Utilize federal and state grant programs to enhance the quality and availability of outdoor recreation opportunities statewide.***

DCR administers several outdoor recreation grant programs principally the federal Land and Water Conservation Fund and the federal Recreational Trails grants. Many of these grants are awarded to local governments or 501(c)(3) organizations. In order to meet this objective, DCR will make certain that open space and recreational grant funds are efficiently awarded to qualified applicants and that the grant programs are administered in compliance with state and federal requirements. The Department will also ensure that all potential customers (grant recipients) receive grant announcements in a timely fashion and understand the application requirements.

#### **This Objective Supports the Following Agency Goals:**

- Meet growing demands on Virginia's award-winning State Parks, while maintaining Virginia's traditional conservation orientation.
- Enhance opportunities to participate in natural resource-based recreation opportunities.
- Advance the protection, conservation, and stewardship of Virginia's significant natural areas, conservation lands, and natural heritage resources.

#### **This Objective Has The Following Measure(s):**

- **Measure 50402.01.01**

***Number of local projects aided annually through outdoor recreation grants.***

**Measure Type:** Outcome

**Measure Frequency:** Annually

**Measure Baseline:** 18 local projects (an average from 2003, 2004, and 2005)

**Measure Target:** 15 local projects

**Measure Source and Calculation:**

Based on project grant awards for the Land and Water Conservation Fund and the federal Recreational Trails grants, a total number of local and regional trail, parks, and outdoor recreation projects will be compiled. The target is reduced from the baseline to reflect declining federal funding of the stateside Land and Water Conservation Fund.

#### **Objective 50402.01 Has the Following Strategies:**

- Increase types of notifications.
- Revamp website.
- Increase technical assistance to the public.
- Explore ways to identify new grant applicants.
- Streamline grant review process.
- Develop tools to enhance grant administrative process.
- Seek a more consistent funding source.

# Service Area Plan

## *Department Of Conservation And Recreation*

### *Design and Construction of Outdoor Recreational Facilities (50403)*

---

#### **Service Area Background Information**

##### **Service Area Description**

Oversee the appropriate design and construction of all approved capital projects on DCR property and develop and maintain a list of major maintenance reserve projects and implement according to available funding.

##### **Service Area Alignment to Mission**

By designing and constructing accessible facilities, we are enhancing DCR lands for the enjoyment of Virginians and out-of-state visitors.

# Service Area Plan

## Department Of Conservation And Recreation

### *Design and Construction of Outdoor Recreational Facilities (50403)*

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#### **Service Area Statutory Authority**

- The director may convey, lease, or demise departmental lands, lease state-owned housing under the control of the department to state employees, grant easements to governmental agencies and public service corporations for renewable periods of not more than 10 years, sell trees, and authorize the removal of minerals from such lands under conditions prescribed by law. With the approval of the Governor, the director is authorized to enter into leases and contracts with an initial term of up to 30 years for the operation and development of revenue-producing capital improvement projects in Virginia state parks. The director of the department is responsible for managing historic sites and commemorative facilities. Code of Virginia, Title 10.1, Chapter 1, Article 3.
- The department is responsible for acquiring, developing, improving, managing, licensing, and regulating the use of state parks and for undertaking a master planning process for all existing state parks, following the substantial acquisition of land for a new state park, and prior to undertaking substantial improvements to state parks. The department is authorized to acquire properties or interests therein of scenic beauty, recreational utility, historical interest, biological significance or any other unusual features that should be acquired, preserved and maintained for the use, observation, education, health and pleasure of the people of Virginia. Further, the department is authorized to permit and otherwise regulate activities on those portions of the Appalachian Trail under its control. The department is instructed to establish a Golden Passport card that authorizes persons receiving social security disability payments to enter Virginia's state parks without having to pay an admittance or parking fee. The department also is charged to establish, maintain, protect and regulate a statewide system of trails. Code of Virginia, Title 10.1, Chapter 2, Article 1.
- The department is authorized to establish and maintain a comprehensive plan for the development of public outdoor recreational facilities; to establish standards for such facilities; to disburse funds to local, regional, and other state agencies for acquiring and developing such facilities; and to make regulations to carry out the statute. It may develop recreational programs and assist state institutions, agencies, and political subdivisions in developing such programs. The department is authorized to acquire property or interests therein to maintain the character of the land as open-space land. Such land is to be made available for agricultural and timbering uses that are compatible in maintaining the open-space nature of the property. Code of Virginia, Title 10.1, Chapter 2, Article 2.
- The director is authorized, subject to the provisions of the chapter, to issue revenue bonds of the Commonwealth to pay the cost of acquiring, constructing, enlarging, improving, and maintaining camping and recreational facilities in any of the state parks and to establish and collect fees and charges for the use of such facilities. Code of Virginia, Title 10.1, Chapter 3.
- The Board of Conservation and Recreation provides recommendations to the director on grants and loans pertaining to outdoor recreation, on the designation of recreational sites eligible for recreational access road funds, on master plans and substantial acquisition or improvement amendments to master plans, and on designations for scenic rivers, scenic highways, and Virginia Byways. The Board is authorized to conduct fund-raising activities as deemed appropriate and will deposit such revenue into the State Parks Projects Fund. Code of Virginia, Title 10.1, Chapter 1, Article 2.
- The Board of Conservation and Recreation may provide advice to the director on expenditures from the State Park Projects Fund. Code of Virginia, Title 10.1, Chapter 2, Article 1.
- Virginia Public Procurement Act; Code of Virginia, Title 2.2, Chapter 43, §§ 2.2-4300 et seq.
- Chapters of the Virginia Acts of Assembly that direct the agency on specific real estate actions

# Service Area Plan

## Department Of Conservation And Recreation

### Design and Construction of Outdoor Recreational Facilities (50403)

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- Commonwealth of Virginia Parks and Natural Area Bond Act of 2002; Chapters 854 [SB672] and 884 [HB1144] of the 2002 Virginia Acts of Assembly
- Capital Projects; Virginia Public Building Authority and Virginia College Building Authority; Chapters 855 [SB673] and 887 [HB1284] of the 2002 Virginia Acts of Assembly
- Commonwealth of Virginia Construction and Professional Services Manual
- Land and Water Conservation Fund Act of 1965; P.L. 88-578
- Virginia Recreational Trails Fund; Symms National Recreational Trails Act of 1991 (P.L. 102-240) replaced by the Recreational Trails Program (RTP) in the Transportation Act for the 21st. Century (TEA-21) United States Code (23 U.S.M. 206), reauthorized in the Safe, Accountable, Transportation Efficiency Act (SAFETEA) and the newly authorized Safe, Accountable, Transportation Efficiency Act – Legacy for Users (SAFETEA-LU) in 2005.

#### Service Area Customer Base

Customer(s)	Served	Potential
Boards and Foundations	1	1
Government Agencies (Federal, State, and Local)	10	15
Recreational Users (campers, picnickers, hikers, etc.)	7,000,000	10,500,000

#### Service Area Partners

##### Contractual Services

#### Service Area Partners

##### Engineers and Consultants

#### Service Area Partners

##### Federal Agencies

National Park Service; U.S. Army Corps of Engineers; U.S. Fish and Wildlife Service; U.S. Forest Service

#### Service Area Partners

##### Non-profits

#### Service Area Partners

##### State Agencies

Virginia Department of Agriculture and Consumer Services; Virginia Department of Environmental Quality; Virginia Department of Historic Resources; Virginia Department of Mines, Minerals, and Energy; Virginia Department of General Services; Virginia Council on Indians and Individual Indian Tribes; Virginia Department of Forestry; Virginia Department of Game and Inland Fisheries; Virginia Department of Health; Virginia Department of Transportation; Virginia Institute of Marine Science; Virginia Marine Resources Commission

#### Service Area Partners

##### Vendors

#### Service Area Partners

##### Volunteers

# Service Area Plan

## Department Of Conservation And Recreation

### Design and Construction of Outdoor Recreational Facilities (50403)

#### Service Area Products and Services

- Technical Assistance
- Permitting, Regulation, and Enforcement
- Construction Supervision and Oversight
- Park Facilities (cabins, campsites, picnic shelters, visitor centers, etc.)

#### **Factors Impacting Service Area Products and Services**

- increased cost of construction materials, services, and land
- facility and equipment conditions
- increased demand for agency services/products

#### **Anticipated Changes To Service Area Products and Services**

- Development of 6 new parks that may be acquired
- Increased maintenance funding for aging park facilities
- Detailed preventive maintenance review
- Increased need for technical assistance to State Parks (more requests for design plans)

#### Service Area Human Resources Summary

##### **Service Area Human Resources Overview**

##### **Service Area Full-Time Equivalent (FTE) Position Summary**

Effective Date:

Total Authorized Position level .....

Vacant Positions .....

Non-Classified (Filled).....

Full-Time Classified (Filled) .....

Part-Time Classified (Filled) .....

Faculty (Filled) .....

Wage .....

Contract Employees .....

Total Human Resource Level .....

##### **Factors Impacting Service Area Human Resources**

##### **Anticipated Changes in Service Area Human Resources**

#### Service Area Financial Summary

	<u>Fiscal Year 2007</u>		<u>Fiscal Year 2008</u>	
	General Fund	Nongeneral Fund	General Fund	Nongeneral Fund
Base Budget	\$1,020,256	\$17,044	\$1,020,256	\$17,044
Changes To Base	\$0	\$0	\$0	\$0
<b>SERVICE AREA TOTAL</b>	<b>\$1,020,256</b>	<b>\$17,044</b>	<b>\$1,020,256</b>	<b>\$17,044</b>

# Service Area Plan

## Department Of Conservation And Recreation

### Design and Construction of Outdoor Recreational Facilities (50403)

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## Service Area Objectives, Measures, and Strategies

### Objective 50403.01

***Complete the construction of DCR capital and major maintenance projects within budget, on time, and meeting quality construction and conservation standards.***

Passage of the 2002 State Park and Natural Area General Obligation Bond has provided funding for over 70 construction projects in Virginia state parks. Completion of projects on time and within budget are affected by numerous factors including weather, staffing, availability of materials, contractor schedules, health of the overall construction industry, etc. DCR staff provide design and construction project management.

#### **This Objective Supports the Following Agency Goals:**

- Meet growing demands on Virginia's award-winning State Parks, while maintaining Virginia's traditional conservation orientation.
- Enhance opportunities to participate in natural resource-based recreation opportunities.

#### **This Objective Has The Following Measure(s):**

- **Measure 50403.01.01**

***Percent of capital projects substantially completed within 6 months of established schedule.***

**Measure Type:** Outcome      **Measure Frequency:** Annually

**Measure Baseline:** 59% of capital projects were substantially completed based on 2003 base projects.

**Measure Target:** 65% of capital projects will be substantially completed within 6 months of established schedule.

**Measure Source and Calculation:**

DCR's Division of Planning and Recreational Resources maintains a spreadsheet that monitors all agency capital projects. In addition to documenting the status and financial obligations of the projects, an additional field will be utilized to track the substantial completion date.

- **Measure 50403.01.02**

***Percent of good/excellent survey ratings by customers utilizing new project facilities.***

**Measure Type:** Outcome      **Measure Frequency:** Annually

**Measure Baseline:** After the customer survey is developed, the baseline will be determined.

**Measure Target:** 75% of new facilities are rated as excellent/good overall.

**Measure Source and Calculation:**

The Division of State Parks will develop a visitor survey and compile a report of the survey results. Each survey will solicit responses from state park visitors on new facilities that have been recently opened. Surveys will be collected for approximately 2 - 3 months after the new facilities are opened. All rated categories will be scored on a descriptive scale as follows: excellent, good, average, poor, or unacceptable. The score will be determined by the number of excellent/good rated responses divided by the total number of rated responses received.

#### **Objective 50403.01 Has the Following Strategies:**

- Obtain appropriate project bond funds.
- Develop customer survey.

# **Service Area Plan**

## ***Department Of Conservation And Recreation***

### ***Design and Construction of Outdoor Recreational Facilities (50403)***

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- Monitor project completion schedule.



# Service Area Plan

## *Department Of Conservation And Recreation*

### *State Park Management and Operations (50404)*

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## **Service Area Background Information**

### **Service Area Description**

DCR's award winning State Park System provides a varied and robust assortment of natural, cultural, and recreational venues for the enjoyment, education, and use by Virginians and our visitors. The system encompasses thirty-four sites managed for public use and at least six additional sites are currently being acquired or developed.

### **Service Area Alignment to Mission**

The Virginia State Parks System works with Virginians to conserve, protect, and enhance their lands and water and promotes the stewardship, conservation education, and enjoyment of natural, cultural and outdoor recreational resources.

# Service Area Plan

## Department Of Conservation And Recreation

### State Park Management and Operations (50404)

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#### Service Area Statutory Authority

- The overarching authority may be found in Section 1 of Article XI of the Virginia Constitution that reads: "To the end that the people have clean air, pure water, and the use and enjoyment for recreation of adequate public lands, waters, and other natural resources, it shall be the policy of the Commonwealth to conserve, develop, and utilize its natural resources, its public lands, and its historical sites and buildings. Further, it shall be the Commonwealth's policy to protect its atmosphere, lands, and waters from pollution, impairment, or destruction, for the benefit, enjoyment, and general welfare of the people of the Commonwealth."
- The director may convey, lease, or demise departmental lands, lease state-owned housing under the control of the department to state employees, grant easements to governmental agencies and public service corporations for renewable periods of not more than 10 years, sell trees, and authorize the removal of minerals from such lands under conditions prescribed by law. With the approval of the Governor, the director is authorized to enter into leases and contracts with an initial term of up to 30 years for the operation and development of revenue-producing capital improvement projects in Virginia state parks. The director of the department is responsible for managing historic sites and commemorative facilities. Code of Virginia, Title 10.1, Chapter 1, Article 3.
- The director may request the Governor to commission individuals designated by the director to act as conservation officers of the Commonwealth. Commissioned conservation officers shall be law-enforcement officers and shall have power to enforce the laws of the Commonwealth and the regulations of the Department and the collegial bodies under administrative support of the Department. If requested by the chief law-enforcement officer of the locality, conservation officers shall coordinate the investigation of felonies with the local law-enforcement agency. The Department's Conservation officers shall also have the power to arrest without warrant in certain cases as authorized pursuant to § 19.2-81. Conservation officers shall have jurisdiction throughout the Commonwealth on all Department lands and waters and upon lands and waters under the management or control of the Department; on property of the United States government or a department or agency thereof on which the Commonwealth has concurrent jurisdiction and is contiguous with land of the Department or on which the Department has a management interest; on a property of another state agency or department whose property is contiguous with land of the Department; and in those local jurisdictions in which mutual aid agreements have been established pursuant to § 15.2-1736. Special conservation officers appointed pursuant to § 10.1-115 shall have jurisdiction throughout the Commonwealth. Upon separation from the Department, incapacity, death, or other good cause, the Director may recommend in writing the decommissioning of any conservation officer to the Governor. The Director may designate certain conservation officers to be special conservation officers. Special conservation officers shall have the same authority and power as sheriffs throughout the Commonwealth to enforce the laws of the Commonwealth. Code of Virginia, Title 10.1, Chapter 1, Article 4.
- The department is responsible for acquiring, developing, improving, managing, licensing, and regulating the use of state parks and for undertaking a master planning process for all existing state parks, following the substantial acquisition of land for a new state park, and prior to undertaking substantial improvements to state parks. The department is authorized to acquire properties or interests therein of scenic beauty, recreational utility, historical interest, biological significance or any other unusual features that should be acquired, preserved and maintained for the use, observation, education, health and pleasure of the people of Virginia. Further, the department is authorized to permit and otherwise regulate activities on those portions of the Appalachian Trail under its control. The department is instructed to establish a Golden Passport card that authorizes persons receiving social security disability payments to enter Virginia's state parks without having to pay an admittance or parking fee. The department also is charged to establish, maintain, protect and regulate a statewide system of trails. Code of Virginia, Title 10.1, Chapter 2, Article 1.
- The department is authorized to establish and maintain a comprehensive plan for the development of

# Service Area Plan

## Department Of Conservation And Recreation

### State Park Management and Operations (50404)

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public outdoor recreational facilities; to establish standards for such facilities; to disburse funds to local, regional, and other state agencies for acquiring and developing such facilities; and to make regulations to carry out the statute. It may develop recreational programs and assist state institutions, agencies, and political subdivisions in developing such programs. The department is authorized to acquire property or interests therein to maintain the character of the land as open-space land. Such land is to be made available for agricultural and timbering uses that are compatible in maintaining the open-space nature of the property. Code of Virginia, Title 10.1, Chapter 2, Article 2.

- The director is authorized, subject to the provisions of the chapter, to issue revenue bonds of the Commonwealth to pay the cost of acquiring, constructing, enlarging, improving, and maintaining camping and recreational facilities in any of the state parks and to establish and collect fees and charges for the use of such facilities. Code of Virginia, Title 10.1, Chapter 3.
- The Board of Conservation and Recreation provides recommendations to the director on grants and loans pertaining to outdoor recreation, on the designation of recreational sites eligible for recreational access road funds, on master plans and substantial acquisition or improvement amendments to master plans, and on designations for scenic rivers, scenic highways, and Virginia Byways. The Board is authorized to conduct fund-raising activities as deemed appropriate and will deposit such revenue into the State Parks Projects Fund. Code of Virginia, Title 10.1, Chapter 1, Article 2.
- The Board may provide advice to the director on expenditures from the State Park Projects Fund. Code of Virginia, Title 10.1, Chapter 2, Article 1.
- The governing bodies of localities, and state-supported institutions of higher learning having a police force, as well as sheriffs with law-enforcement authority within localities without a police force, and the Director of the Department of Conservation and Recreation with commissioned conservation officers, or any combination thereof may, by proper resolutions, enter in and become a party to contracts or mutual aid agreements for the use of their joint police or other law-enforcement forces, both regular and auxiliary, their equipment and materials to maintain peace and good order. Any police or other law-enforcement officer, regular or auxiliary, while performing his duty under any such contract or agreement, shall have the same authority in such locality as he has within the locality where he was appointed. In counties where no police department has been established, the sheriff may, in his discretion, enter into mutual aid agreements as provided by this section. Code of Virginia, Title 15.2, Chapter 17. Article 3, § 15.2-1736
- The director may request the Governor to commission individuals designated by the director to act as conservation officers of the Commonwealth. Commissioned conservation officers shall be law-enforcement officers and shall have power to enforce the laws of the Commonwealth and the regulations of the Department and the collegial bodies under administrative support of the Department. If requested by the chief law-enforcement officer of the locality, conservation officers shall coordinate the investigation of felonies with the local law-enforcement agency. The Department's Conservation officers shall also have the power to arrest without warrant in certain cases as authorized pursuant to § 19.2-81.
- Conservation officers shall have jurisdiction throughout the Commonwealth on all Department lands and waters and upon lands and waters under the management or control of the Department; on property of the United States government or a department or agency thereof on which the Commonwealth has concurrent jurisdiction and is contiguous with land of the Department or on which the Department has a management interest; on a property of another state agency or department whose property is contiguous with land of the Department; and in those local jurisdictions in which mutual aid agreements have been established pursuant to § 15.2-1736.

# Service Area Plan

## Department Of Conservation And Recreation

### State Park Management and Operations (50404)

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- Special conservation officers appointed pursuant to § 10.1-115 shall have jurisdiction throughout the Commonwealth. Upon separation from the Department, incapacity, death, or other good cause, the Director may recommend in writing the decommissioning of any conservation officer to the Governor. The Director may designate certain conservation officers to be special conservation officers. Special conservation officers shall have the same authority and power as sheriffs throughout the Commonwealth to enforce the laws of the Commonwealth. Code of Virginia, Title 10.1, Chapter 1, Article 4.

- The governing bodies of localities, and state-supported institutions of higher learning having a police force, as well as sheriffs with law-enforcement authority within localities without a police force, and the Director of the Department of Conservation and Recreation with commissioned conservation officers, or any combination thereof may, by proper resolutions, enter in and become a party to contracts or mutual aid agreements for the use of their joint police or other law-enforcement forces, both regular and auxiliary, their equipment and materials to maintain peace and good order. Any police or other law-enforcement officer, regular or auxiliary, while performing his duty under any such contract or agreement, shall have the same authority in such locality as he has within the locality where he was appointed. In counties where no police department has been established, the sheriff may, in his discretion, enter into mutual aid agreements as provided by this section. Code of Virginia, Title 15.2, Chapter 17. Article 3, § 15.2-1736.

- DEPARTMENT OF CONSERVATION AND RECREATION (4 VAC 5)

§ 4 VAC 5-30. Virginia State Parks Regulations, 1975, eff. Jan. 15, 1976; amended May 1, 1977, Jan. 18, 1981, June 24, 1982, May 4, 1983, and Feb. 12, 2003.

§ 4 VAC 5-36. Standard fees for Use of Department of Conservation and Recreation Facilities, Programs and Services, eff. Apr. 25, 2002; amended Mar. 27, 2003, May 21, 2003, April 7, 2004 and February 8, 2006.

§ 4 VAC 5-40. Virginia State Forest Regulations, adopted Oct. 14, 1970.

- BOARD OF CONSERVATION AND RECREATION (4 VAC 3)

§ 4 VAC 3-10. Regulatory Public Participation Procedures, eff. Dec. 30, 1992; amended July 13, 1994 and September 10, 2003.

- Commonwealth of Virginia Parks and Natural Area Bond Act of 2002; Chapters 854 [SB672] and 884 [HB1144] of the 2002 Virginia Acts of Assembly

- Capital Projects; Virginia Public Building Authority and Virginia College Building Authority; Chapters 855 [SB673] and 887 [HB1284] of the 2002 Virginia Acts of Assembly

# Service Area Plan

## Department Of Conservation And Recreation

### State Park Management and Operations (50404)

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#### Service Area Customer Base

Customer(s)	Served	Potential
Agricultural Community	12	20
Boards and Foundations	2	2
Businesses	1,010	1,520
Conservation Organizations and Land Trusts	50	100
Educational Institutions/educators/students/researchers	5,000	10,000
Government Agencies (Federal, State, and Local)	200	350
Landowners	500	600
Recreational Users (campers, picnickers, hikers, etc.)	7,000,000	10,500,000
Scouting and Youth Groups	100	200
Soil and Water Conservation Districts	25	47
Special Customer Groups	300	500
Volunteers and Volunteer Groups	2,500	10,000

# Service Area Plan

## Department Of Conservation And Recreation

### State Park Management and Operations (50404)

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#### **Service Area Partners**

Agricultural Community

#### **Service Area Partners**

Boards and Foundations

#### **Service Area Partners**

Chesapeake Bay Program (Includes the U.S. Environmental Protection Agency, Maryland, Pennsylvania, and the District of Columbia)

#### **Service Area Partners**

Contractual Services

#### **Service Area Partners**

Educational Institutions

Virginia Colleges and Universities; Out of State Colleges and Universities

#### **Service Area Partners**

Engineers and Consultants

#### **Service Area Partners**

Federal Agencies

National Oceanographic and Atmospheric Administration; Natural Resources Conservation Service; National Park Service; U.S. Army Corps of Engineers; U.S. Fish and Wildlife Service; U.S. Forest Service; Federal Volunteerism Programs

#### **Service Area Partners**

Local Governments

Departments of Parks and Recreation

#### **Service Area Partners**

Non-profits

Fraternal and Civic Organizations

#### **Service Area Partners**

Regional Planning District Commissions

#### **Service Area Partners**

Soil and Water Conservation Districts

#### **Service Area Partners**

Stakeholder Organizations

Friends of State Park Groups; Park and Recreational Professional Organizations; Private Campground Association; Recreational Advocacy Groups; Virginia Recreation and Parks Society, Recreational User Clubs and Associations (Good Sam Club, Airstream Club, College Outing Clubs, etc.)

#### **Service Area Partners**

State Agencies

Virginia Department of Agriculture and Consumer Services; Virginia Department of Corrections; Virginia Department of Education; Virginia Department of General Services; Virginia Department of Historic Resources; Virginia Department of Mines, Minerals, and Energy; Virginia Department of Social Services; Virginia Council on Indians and Individual Indian Tribes; Virginia Department of Environmental Quality;

# Service Area Plan

## Department Of Conservation And Recreation

### State Park Management and Operations (50404)

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Virginia Department of Forestry; Virginia Department of Game and Inland Fisheries; Virginia Department of Health; Virginia Department of Rails and Public Transportation; Virginia Department of Transportation; Virginia Institute of Marine Science; Virginia Marine Resources Commission; Virginia Museum of Natural History; Virginia Court System; Virginia Cooperative Extension

#### **Service Area Partners**

##### **Tourism**

Statewide Media; Virginia Association of Broadcasters

#### **Service Area Partners**

##### **Vendors**

Hospitality Industry, Canoe Outfitters, Fishing Guides, Horse Riding Outfitters, Caterers

#### **Service Area Products and Services**

- Outdoor Recreational Activities
- Public Education
- Public Information
- Permitting, Regulation, and Enforcement
- Public Safety (dam safety, law enforcement, etc.)
- Park Facilities (cabins, campsites, picnic shelters, visitor centers, meeting facilities, training facilities, museums etc.)
- Park Programs (Festivals, concerts, plays, performances, re-enactments, living histories, interpretive programs)
- Merchandise sales, gift shops, restaurants and food concessions
- Resource Management and protection

#### **Factors Impacting Service Area Products and Services**

- state funding levels
- insufficient staffing levels in key program areas
- increased cost of construction materials, services, and land
- facility and equipment conditions
- increased demand for agency services/products

#### **Anticipated Changes To Service Area Products and Services**

- More cabins and campgrounds, new parks, increased attendance and visitation, new facilities, and higher customer expectations, will all result in an increased demand for the year round provision of products and services.

#### **Service Area Human Resources Summary**

##### **Service Area Human Resources Overview**

# Service Area Plan

## Department Of Conservation And Recreation

### State Park Management and Operations (50404)

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#### Service Area Full-Time Equivalent (FTE) Position Summary

Effective Date: .....

Total Authorized Position level .....

Vacant Positions .....

    Non-Classified (Filled).....

    Full-Time Classified (Filled) .....

    Part-Time Classified (Filled) .....

    Faculty (Filled) .....

Wage .....

Contract Employees .....

Total Human Resource Level .....

#### Factors Impacting Service Area Human Resources

#### Anticipated Changes in Service Area Human Resources

#### Service Area Financial Summary

Included in the General Fund appropriation is \$650,000 for dam repairs and \$4.5 M that was provided during the 2005 Session for operating, safety, and staffing needs for state parks. Funded with general funds and visitor user fees, studies have proven that we are the most frugally supported state park system in the nation, and estimates are that we remain \$10 million and 85 positions short of critically needed funding as established by a department wide study. Park revenues are reinvested into our operations.

	<u>Fiscal Year 2007</u>		<u>Fiscal Year 2008</u>	
	General Fund	Nongeneral Fund	General Fund	Nongeneral Fund
<b>Base Budget</b>	\$19,966,982	\$10,493,455	\$19,966,982	\$10,493,455
<b>Changes To Base</b>	\$0	\$0	\$0	\$0
<b>SERVICE AREA TOTAL</b>	<b>\$19,966,982</b>	<b>\$10,493,455</b>	<b>\$19,966,982</b>	<b>\$10,493,455</b>



# Service Area Plan

## Department Of Conservation And Recreation

### State Park Management and Operations (50404)

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## Service Area Objectives, Measures, and Strategies

### Objective 50404.01

***Provide outstanding state park facilities, services and programs while protecting and promoting stewardship of the natural and cultural resources of the Commonwealth. (Key)***

Virginia's award-winning State Park System provides the natural resources, facilities, services, and programs for visitors to enjoy outdoor recreational opportunities, promote a conservation ethic, and appreciate our natural and cultural heritage resources.

#### This Objective Supports the Following Agency Goals:

- Meet growing demands on Virginia's award-winning State Parks, while maintaining Virginia's traditional conservation orientation.
- Improve the quality of Virginia's waters and the Chesapeake Bay through non-point source pollution reduction programs and sound land use management.
- Enhance opportunities to participate in natural resource-based recreation opportunities.
- Advance the protection, conservation, and stewardship of Virginia's significant natural areas, conservation lands, and natural heritage resources.

#### This Objective Has The Following Measure(s):

- **Measure 50404.01.01**

***We will continue to achieve a high level of customer satisfaction with state park services as demonstrate***

**Measure Type:** Outcome

**Measure Frequency:** Annually

**Measure Baseline:** 87.3%

**Measure Target:** Maintain more than 85% annually.

**Measure Source and Calculation:**

Responses to DCR's Virginia State Parks "Your Comments Count Survey" are collected and information tabulated. The survey solicits several types of information from park visitors. One section asks guests to list priorities for improvements for the park they visited, a second section asks guests to rate their overall perceptions of the park and its services within a provided list of seven areas, and a third section asks them to rate specific facilities and services. All rated categories are scored on a descriptive scale as follows: Excellent, Good, Average, Poor, and Unacceptable. A final section gathers visitor information such as activities during the visit, number of visits per year, numbers of adults and children in the party, etc. Surveys may be returned to collection boxes at the park (in which case the park forwards them to the Central Office) or mailed directly to the Central Office. The surveys are counted and individual responses are sent to each submittal. The completed forms are forwarded to Radford University for analysis and the results are then forwarded to the Division of State Parks within 30 days of the end of the quarter. The Division of State Parks will review the analysis and report on results to the DCR Director's Office within 40 days of the end of each quarter.

# Service Area Plan

## Department Of Conservation And Recreation

### State Park Management and Operations (50404)

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- **Measure 50404.01.02**

*We will increase the number of overnight visits to state parks. (Key)*

**Measure Type:** Outcome      **Measure Frequency:** Annually

**Measure Baseline:** 139,000 based on an average of the past 3 fiscal years.

**Measure Target:** An increase of 7,300 (5%) overnight visits.

**Measure Source and Calculation:**

The majority of overnight facility rentals are made within the agency's central reservation system, but additional sales are also made at the park level. The calculation for this measure is made by taking reports from the central reservation center that give the total nights of rental made for camping, cabins, and lodges and to this number adding the rental nights made at the park level as shown in the agency's point-of-sales system. The latter system provides a report called "Sales by Product Category and Class" that can be taken (separately) for cabins and camping. The number of sales recorded in this report is modified by subtracting the number of non-rental night sales, such as pet fees and extra bed rentals, that are shown on the report summary.

- **Measure 50404.01.03**

*Number of park day users.*

**Measure Type:** Outcome      **Measure Frequency:** Annually

**Measure Baseline:** For FY05, total day use parking was 344,000

**Measure Target:** The FY07 target will be an increase of 11,000 park day users

**Measure Source and Calculation:**

The data is currently collected in the Agency's point of sale system which tracks all sales at field locations. The calculation will be made for the fiscal year by running the report "Print Sales Analysis by Product Sales" and totaling all parking category sales counts (not dollars) including recorded uses of annual/lifetime passes, but not including initial sales of annual passes, recorded counts for employees and service vehicles, and surcharges added to the basic parking fee such as trailer fees.

**Objective 50404.01 Has the Following Strategies:**

- Ensure public satisfaction with state park facilities, services, and programs.
- Provide and improve multi-faceted public awareness information using the website, media, marketing and promotions.
- Address maintenance needs at state parks.
- Provide effective staff training including but not limited to Basic Ranger Training Academy, Program Support Training, FOCUS customer service training, OSHA training, Law Enforcement Training, Interpretive training, etc.
- Maintain existing and develop additional public and private partnerships to further programs and operations.
- Provide a quality Youth Program to complete natural resource projects, encourage teambuilding and citizenship, foster environmental and cultural stewardship and increase awareness of natural resource careers.
- Provide and expand interpretive and educational programs offerings.
- Foster the development of support groups and continue to use and increase volunteerism.

# **Service Area Plan**

## ***Department Of Conservation And Recreation***

### ***State Park Management and Operations (50404)***

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- Provide and improve merchandise and food services program.
- Continually refine and implement resource management plans and maintain current master plans for parks.

# Service Area Plan

## *Department Of Conservation And Recreation*

*Natural Outdoor Recreational and Open Space Resource Research, Planning, and Technical Assistance  
(50406)*

### **Service Area Background Information**

#### **Service Area Description**

DCR serves as the lead outdoor recreation planning agency for the Commonwealth and provides for the management of and planning for the protection, acquisition, improvement, and expansion of Virginia's outdoor recreation and open space resources, facilities, and services.

#### **Service Area Alignment to Mission**

This service area aligns with DCR's mission to promote the stewardship and enjoyment of natural, cultural, and outdoor recreational resources.

# Service Area Plan

## *Department Of Conservation And Recreation*

### *Natural Outdoor Recreational and Open Space Resource Research, Planning, and Technical Assistance (50406)*

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#### **Service Area Statutory Authority**

- The overarching authority may be found in Section 1 of Article XI of the Virginia Constitution that reads: "To the end that the people have clean air, pure water, and the use and enjoyment for recreation of adequate public lands, waters, and other natural resources, it shall be the policy of the Commonwealth to conserve, develop, and utilize its natural resources, its public lands, and its historical sites and buildings. Further, it shall be the Commonwealth's policy to protect its atmosphere, lands, and waters from pollution, impairment, or destruction, for the benefit, enjoyment, and general welfare of the people of the Commonwealth."
- The department is responsible for acquiring, developing, improving, managing, licensing, and regulating the use of state parks and for undertaking a master planning process for all existing state parks, following the substantial acquisition of land for a new state park, and prior to undertaking substantial improvements to state parks. The department is authorized to acquire properties or interests therein of scenic beauty, recreational utility, historical interest, biological significance or any other unusual features that should be acquired, preserved and maintained for the use, observation, education, health and pleasure of the people of Virginia. Further, the department is authorized to permit and otherwise regulate activities on those portions of the Appalachian Trail under its control. The department is instructed to establish a Golden Passport card that authorizes persons receiving social security disability payments to enter Virginia's state parks without having to pay an admittance or parking fee. The department also is charged to establish, maintain, protect and regulate a statewide system of trails. Code of Virginia, Title 10.1, Chapter 2, Article 1.
- The department is authorized to establish and maintain a comprehensive plan for the development of public outdoor recreational facilities; to establish standards for such facilities; to disburse funds to local, regional, and other state agencies for acquiring and developing such facilities; and to make regulations to carry out the statute. It may develop recreational programs and assist state institutions, agencies, and political subdivisions in developing such programs. The department is authorized to acquire property or interests therein to maintain the character of the land as open-space land. Such land is to be made available for agricultural and timbering uses that are compatible in maintaining the open-space nature of the property. Code of Virginia, Title 10.1, Chapter 2, Article 2.
- The department is directed to cooperate with the Commonwealth Transportation Board in the designation of scenic highways and byways. Code of Virginia, Title 33.1, Chapter 1, Article 5.
- The director has the responsibility to designate a public recreational area as such and recommend to the Commonwealth Transportation Board that an access road or bikeway be provided to the area. Code of Virginia, Title 33.1, Chapter 1, Article 15.
- The department has the duty of studying rivers or sections of rivers, reporting upon and recommending to the Governor and the General Assembly those to be considered for designation as scenic rivers. The director shall serve as the executive secretary of the Virginia Scenic River Board and may appoint Scenic River Advisory Committees or other local or regional committees to consider and manage scenic river interests and issues. Code of Virginia, Title 10.1, Chapters 4 and 4.1.
- The Board of Conservation and Recreation provides recommendations to the director on grants and loans pertaining to outdoor recreation, on the designation of recreational sites eligible for recreational access road funds, on master plans and substantial acquisition or improvement amendments to master plans, and on designations for scenic rivers, scenic highways, and Virginia Byways. The Board is authorized to conduct fund-raising activities as deemed appropriate and will deposit such revenue into the State Parks Projects Fund. Code of Virginia, Title 10.1, Chapter 1, Article 2.
- Virginia Recreational Trails Fund; Symms National Recreational Trails Act of 1991 (P.L. 102-240) replaced

# Service Area Plan

## Department Of Conservation And Recreation

### Natural Outdoor Recreational and Open Space Resource Research, Planning, and Technical Assistance (50406)

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by the Recreational Trails Program (RTP) in the Transportation Act for the 21st. Century (TEA-21) United States Code (23 U.S.M. 206) reauthorized in the Safe, Accountable, Transportation Efficiency Act (SAFETEA) and the newly authorized Safe, Accountable, Transportation Efficiency Act – Legacy for Users (SAFETEA-LU) in 2005.

- Land and Water Conservation Fund Act of 1965; P.L. 88-578

#### **Service Area Customer Base**

Customer(s)	Served	Potential
Boards and Foundations	11	11
Conservation Organizations and Land Trusts	30	30
Government Agencies (Federal, State, and Local)	200	200
Recreational Users (campers, picnickers, hikers, etc.)	7,000,000	10,500,000
Regulated Community	10	10
Soil and Water Conservation Districts	22	47

# Service Area Plan

## *Department Of Conservation And Recreation*

### *Natural Outdoor Recreational and Open Space Resource Research, Planning, and Technical Assistance (50406)*

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#### **Service Area Partners**

Agricultural Community

#### **Service Area Partners**

Boards and Foundations

#### **Service Area Partners**

Chesapeake Bay Program (Includes the U.S. Environmental Protection Agency, Maryland, Pennsylvania, and the District of Columbia)

#### **Service Area Partners**

Contractual Services

#### **Service Area Partners**

Engineers and Consultants

#### **Service Area Partners**

##### **Federal Agencies**

U.S. Forest Service; U.S. Fish and Wildlife Service; U.S. Department of Defense; U.S. Army Corps of Engineers; Tennessee Valley Authority; Natural Resources Conservation Service; National Park Service; National Oceanic and Atmospheric Administration; Environmental Protection Agency; Federal Highway Administration; Bureau of Land Management

#### **Service Area Partners**

##### **Local Governments**

Departments of Parks and Recreation

#### **Service Area Partners**

Non profits

#### **Service Area Partners**

Regional Planning District Commissions

#### **Service Area Partners**

Soil and Water Conservation Districts

#### **Service Area Partners**

##### **State Agencies**

Virginia Department of Agriculture and Consumer Services; Virginia Department of General Services; Virginia Department of Historic Resources; Virginia Department of Mines, Minerals and Energy; Virginia Council on Indians and Individual Indian Tribes; Virginia Department of Environmental Quality; Virginia Department of Forestry; Virginia Department of Game and Inland Fisheries; Virginia Department of Health; Virginia Department of Rails and Public Transportation; Virginia Department of Social Services; Virginia Department of Transportation; Virginia Marine Resources Commission; Virginia Tobacco Commission; Virginia Institute of Marine Science

#### **Service Area Partners**

##### **Tourism**

Virginia Tourism Corporation

#### **Service Area Partners**

# Service Area Plan

## Department Of Conservation And Recreation

### Natural Outdoor Recreational and Open Space Resource Research, Planning, and Technical Assistance (50406)

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#### Vendors

#### **Service Area Products and Services**

- Outdoor Recreational Facilities
- Technical Assistance
- Public Education
- Public Information

#### **Factors Impacting Service Area Products and Services**

- insufficient state funding levels
- declining federal funding levels
- increased demand for agency services/products

#### **Anticipated Changes To Service Area Products and Services**

- Implementation of the 2002 General Obligation Bond and other General Assembly actions will result in the acquisition of up to seven new state parks, each requiring master plans. Many parks are in need of updated master plans due to the addition of lands or changes in facility needs. In addition, each park with an approved plan must have it reviewed and updated every five years.
- As the desire for sustainable and livable communities grows, there will be a need for increased technical assistance for the development of additional pedestrian and biking facilities.
- Growth of the Chesapeake Bay Gateways Network and of the Chesapeake Bay Program will require substantial staff resources related to the coordination of the program within Virginia, the review of approved grants, and the development of public access to the system of Chesapeake Bay area water trails.
- Development of 2007 Virginia Outdoors Plan will require extensive staff effort and a shift of staff from other work areas to complete this plan on schedule.

#### **Service Area Human Resources Summary**

##### **Service Area Human Resources Overview**

##### **Service Area Full-Time Equivalent (FTE) Position Summary**

Effective Date:

Total Authorized Position level .....

Vacant Positions .....

Non-Classified (Filled).....

Full-Time Classified (Filled) .....

Part-Time Classified (Filled) .....

Faculty (Filled) .....

Wage .....

Contract Employees .....

Total Human Resource Level .....

##### **Factors Impacting Service Area Human Resources**

##### **Anticipated Changes in Service Area Human Resources**



# Service Area Plan

## Department Of Conservation And Recreation

Natural Outdoor Recreational and Open Space Resource Research, Planning, and Technical Assistance  
(50406)

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### Service Area Financial Summary

	<u>Fiscal Year 2007</u>		<u>Fiscal Year 2008</u>	
	General Fund	Nongeneral Fund	General Fund	Nongeneral Fund
Base Budget	\$722,764	\$2,446	\$722,764	\$2,446
Changes To Base	\$0	\$0	\$0	\$0
SERVICE AREA TOTAL	\$722,764	\$2,446	\$722,764	\$2,446

# Service Area Plan

## Department Of Conservation And Recreation

Natural Outdoor Recreational and Open Space Resource Research, Planning, and Technical Assistance  
(50406)

### Service Area Objectives, Measures, and Strategies

#### Objective 50406.01

***Provide timely and quality statewide outdoor recreation resource planning, information and assistance for the provisions of trails, greenways, parks, public access to state waters, Scenic Rivers, Virginia Byways, and other similar activities.***

DCR serves as the lead outdoor recreation planner for the Commonwealth. As such, the Department is regularly charged by the legislature, executive branch and others with completing special studies, surveys, and park master plans. In addition, DCR authors the statewide comprehensive recreation planning and land conservation document every five years known as the Virginia Outdoors Plan. Completion of these responsibilities in a quality manner and within the prescribed time periods is essential to advancing outdoor recreational opportunities in Virginia.

#### This Objective Supports the Following Agency Goals:

- Enhance opportunities to participate in natural resource-based recreation opportunities.

#### This Objective Has The Following Measure(s):

- Measure 50406.01.01

***Number of outdoor recreation plan, studies, and surveys completed annually.***

**Measure Type:** Output

**Measure Frequency:** Annually

**Measure Baseline:** 16 - based on 2004 totals

**Measure Target:** 20

#### **Measure Source and Calculation:**

A master list will be kept by DCR's Division of Planning and Recreational Resources of all plans, studies, and surveys that have been assigned to the Division. A completion date will be documented on the list.

#### Objective 50406.01 Has the Following Strategies:

- Develop 2007 State Comprehensive Outdoor Recreation and Open Space Plan.
- Develop state park master plans as acquired and update every 5 years.
- Provide input into the development of U.S. Forest Service, National Park Service, U.S. Fish and Wildlife Service, and U.S. Army Corps of Engineers management plans.

# Service Area Plan

## Department Of Conservation And Recreation

### Administrative and Support Services (59900)

## Service Area Background Information

### Service Area Description

DCR's Director's Office, Division of Administration, and Division of Finance provide administrative support and general management direction to support program areas. This includes human resource development and management; procurement services; information technology; public relations, environmental education and website coordination; financial and budgeting services; policy development and oversight, internal audit; legislative and regulatory services; board and foundation support; real property services; and general oversight and direction to the Agency from the Director's Office.

### Service Area Alignment to Mission

This service area enables program areas to perform the functions that conserve, protect, and enhance Virginia's lands and waters and that promote the stewardship and enjoyment of natural, cultural and outdoor recreational resources.

### Service Area Statutory Authority

- § 10.1-103. Organization of the Department.

The Director shall establish divisions through which the functions of the Department and the corresponding powers and duties may be exercised and discharged. The Director shall appoint competent persons to direct the various functions and programs of the Department, and may delegate any of the powers and duties conferred or imposed by law upon him.

- § 10.1-104. Powers of the Department.

A. The Department shall have the following powers, which may be delegated by the Director:

1. To employ such personnel as may be required to carry out those duties conferred by law;
2. To make and enter into all contracts and agreements necessary or incidental to the performance of its duties and the execution of its powers, including but not limited to contracts with private nonprofit organizations, the United States, other state agencies and political subdivisions of the Commonwealth;
3. To accept bequests and gifts of real and personal property as well as endowments, funds, and grants from the United States government, its agencies and instrumentalities, and any other source. To these ends, the Department shall have the power to comply with such conditions and execute such agreements as may be necessary, convenient or desirable;
4. To prescribe rules and regulations necessary or incidental to the performance of duties or execution of powers conferred by law;
5. To perform acts necessary or convenient to carry out the duties conferred by law; and
6. To assess civil penalties for violations of § 10.1-200.3.

B. Pursuant to the Administrative Process Act (§ 2.2-4000 et seq.), the Department may promulgate regulations necessary to carry out the purposes and provisions of this subtitle. A violation of any regulation shall constitute a Class 1 misdemeanor, unless a different penalty is prescribed by the Code of Virginia.

- Administrative Process Act; Code of Virginia, Title 2.2, Chapter 40, §§ 2.2-4000 et seq.
- Virginia Register Act; Code of Virginia, Title 2.2, Chapter 41, §§ 2.2-4100 et seq.
- Freedom of Information Act; Code of Virginia, Title 2.2, Chapter 37, §§ 2.2-3700 et seq.
- Governor's Executive Orders
- Virginia Public Procurement Act; Code of Virginia, Title 2.2, Chapter 43, §§ 2.2-4300 et seq.

# Service Area Plan

## Department Of Conservation And Recreation

### Administrative and Support Services (59900)

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#### Service Area Customer Base

Customer(s)	Served	Potential
Agency Staff	1,236	1,500
Boards and Foundations	11	11
Government Agencies (Federal, State, and Local)	27	145
Media	626	626
Soil and Water Conservation Districts	47	47

#### **Anticipated Changes In Service Area Customer Base**

The 2005 General Assembly authorized increased staffing levels for many divisions within DCR.

An expansion of services generated from increases in staff, programs, and park facilities.

Approximately 11 percent of agency classified employees are eligible to retire in the next five years.

# Service Area Plan

## Department Of Conservation And Recreation

### Administrative and Support Services (59900)

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#### **Service Area Partners**

Agricultural Community

#### **Service Area Partners**

Boards and Foundations

#### **Service Area Partners**

Chesapeake Bay Program (Includes the U.S. Environmental Protection Agency, Maryland, Pennsylvania, and the District of Columbia)

#### **Service Area Partners**

Contractual Services

#### **Service Area Partners**

Engineers and Consultants

#### **Service Area Partners**

##### **Federal Agencies**

National Park Service; Natural Resources Conservation Service; U.S. Army Corps of Engineers; U.S. Environmental Protection Agency

#### **Service Area Partners**

General Assembly

#### **Service Area Partners**

Governor's Office and Cabinet

#### **Service Area Partners**

Non-profits

#### **Service Area Partners**

Soil and Water Conservation Districts

#### **Service Area Partners**

##### **State Agencies**

Virginia Department of Accounts; Virginia Department of General Services; Virginia Department of Human Resource Management; Virginia Department of Planning and Budget; Virginia Department of Treasury; Virginia Division of Legislative Services; Virginia Department of Forestry; Virginia Department of Agriculture and Consumer Services; Virginia Department of Environmental Quality; Virginia Department of Transportation; Virginia Information Technology Agency

#### **Service Area Partners**

Vendors

# **Service Area Plan**

## ***Department Of Conservation And Recreation***

### ***Administrative and Support Services (59900)***

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#### **Service Area Products and Services**

- Financial Assistance
- Technical Assistance
- Public Education
- Public Information
- Permitting, Regulation, and Enforcement
- Regulatory Programs - Information
- Agency Policy, Planning and Budgeting
- Property conservation through funding fee simple and easement acquisition
- Administrative Support

#### **Factors Impacting Service Area Products and Services**

- staff funding levels
- expanding state and/or federal requirements

#### **Anticipated Changes To Service Area Products and Services**

- DCR will be faced with increasing demands for administrative and management services as efforts to centralize state administrative services continue.
- Increased support to the Boards and the Department on regulatory issues resulting from expanding Code requirements and responsibilities.
- Increasing financial/budgetary challenges to the Department due to expanding programs, facilities, and shrinking federal resources.

#### **Service Area Human Resources Summary**

##### **Service Area Human Resources Overview**

##### **Service Area Full-Time Equivalent (FTE) Position Summary**

Effective Date:

Total Authorized Position level .....

Vacant Positions .....

Non-Classified (Filled).....

Full-Time Classified (Filled) .....

Part-Time Classified (Filled) .....

Faculty (Filled) .....

Wage .....

Contract Employees .....

Total Human Resource Level .....

##### **Factors Impacting Service Area Human Resources**

##### **Anticipated Changes in Service Area Human Resources**

# Service Area Plan

## Department Of Conservation And Recreation

### Administrative and Support Services (59900)

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#### Service Area Financial Summary

Included in this general fund appropriation is \$1,236,000 for rent and insurance payments. For FY07, rent is expected to remain the same; however, property insurance is expected to increase from \$69,083 to \$103,624.

	<u>Fiscal Year 2007</u>		<u>Fiscal Year 2008</u>	
	General Fund	Nongeneral Fund	General Fund	Nongeneral Fund
Base Budget	\$5,017,075	\$405,397	\$5,036,738	\$405,397
Changes To Base	\$0	\$0	\$0	\$0
SERVICE AREA TOTAL	\$5,017,075	\$405,397	\$5,036,738	\$405,397

# Service Area Plan

## Department Of Conservation And Recreation

### Administrative and Support Services (59900)

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## Service Area Objectives, Measures, and Strategies

### Objective 59900.01

*To ensure that resources are used efficiently and programs are managed effectively, and in a manner consistent with applicable state and federal requirements.*

#### This Objective Supports the Following Agency Goals:

- Meet growing demands on Virginia's award-winning State Parks, while maintaining Virginia's traditional conservation orientation.
- Enhance public safety by administering effective dam safety and flood plain management programs.
- Improve the quality of Virginia's waters and the Chesapeake Bay through non-point source pollution reduction programs and sound land use management.
- Enhance opportunities to participate in natural resource-based recreation opportunities.
- Advance the protection, conservation, and stewardship of Virginia's significant natural areas, conservation lands, and natural heritage resources.
- Be recognized as an employer of choice.
- Provide efficient and effective administrative support.

#### This Objective Has The Following Measure(s):

- **Measure 59900.01.01**

*Percent of Governor's Management scorecard categories marked as meets expectations for the agency.*

**Measure Type:** Output

**Measure Frequency:** Quarterly

**Measure Baseline:** 80%

**Measure Target:** 100%

**Measure Source and Calculation:**

#### Objective 59900.01 Has the Following Strategies:

- Increase recruitment efforts for DCR Internships.
- Identify and increase attendance at state-wide job fairs.
- Identify and increase recruitment efforts at colleges, universities, and vocational schools.
- Identify and increase recruitment advertising in targeted media such as professional journals, minority publications, etc.
- Conduct and review exit interviews to determine why employees leave DCR.
- Analyze role titles of positions from which DCR employees are separated.
- Analyze the salary levels of at-risk role titles.
- Review, revise, and implement employee recognition and salary compensation.